



3 1761 118953181





Digitized by the Internet Archive  
in 2024 with funding from  
University of Toronto

<https://archive.org/details/3176118953181>



CAJON  
X1  
-D23



No. 55A

N° 55A

ISSN 1180-2987

## Legislative Assembly of Ontario

Third Session, 35th Parliament

# Official Report of Debates (Hansard)

Tuesday 27 July 1993

## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

# Journal des débats (Hansard)

Mardi 27 juillet 1993

Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers



### **Hansard on your computer**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. Sent as part of the television signal on the Ontario parliamentary channel, they are received by a special decoder and converted into data that your PC can store. Using any DOS-based word processing program, you can retrieve the documents and search, print or save them. By using specific fonts and point sizes, you can replicate the formally printed version. For a brochure describing the service, call 416-325-3942.

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

### **Subscriptions**

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Ministry of Government Services, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Lists of members**

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month. A list arranged by riding and including ministerial responsibilities appears on subsequent Mondays.

### **Le Journal des débats sur votre ordinateur**

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Ces documents, télédiffusés par la Chaîne parlementaire de l'Ontario, sont captés par un décodeur particulier et convertis en données que votre ordinateur pourra stocker. En vous servant de n'importe quel logiciel de traitement de texte basé sur le système d'exploitation à disque (DOS), vous pourrez récupérer les documents et y faire une recherche de mots, les imprimer ou les sauvegarder. L'utilisation de fontes et points de caractères convenables vous permettra reproduire la version imprimée officielle. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

### **Renseignements sur l'Index**

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

### **Abonnements**

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, ministère des Services gouvernementaux, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.

### **Listes des député(e)s**

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et dans le numéro du premier lundi de chaque mois. Par contre, une liste des circonscriptions inscrites dans un ordre alphabétique et comprenant les responsabilités ministérielles paraît tous les lundis suivants.

Tuesday 27 July 1993

The House met at 1333.

Prayers.

#### MEMBERS' STATEMENTS GOVERNMENT POLICY

**Mr Monte Kwinter (Wilson Heights):** Ontario had a slogan that asked, "Is there any place you'd rather be?" Well, according to an Environics poll commissioned by Ontarians for Responsible Government, 49% of Ontarians say they would seriously consider being anywhere but Ontario if they could afford it.

Even more troublesome is that 61% of Ontarians aged 18 to 24 indicated they would leave the province. This is a disturbing figure when you consider that the future strength of any economy is largely dependent on its young people and their ability to bring new ideas and new energy so that the province continues to develop and prosper. Young people also have the flexibility and drive to take their enthusiasm and ability and move to another region of the country or to another region of the world.

These numbers do not bode well for the future of this province and for our future as a growing and competitive economy. These numbers are a direct reflection on the record and policies of the NDP government and are an indication of the low esteem in which this government is held.

Another recent poll shows that the NDP government currently has the support of just 13% of the decided voters in Ontario. This figure is even more startling when one considers that it is even lower than the 15% of respondents who in another poll believe that Elvis Presley is still alive.

These numbers can only mean one thing: The people of Ontario are overwhelmingly rejecting the policies and performance of the NDP government, and it is time the government recognizes that it has lost the confidence of the electorate and changes its policies accordingly.

#### JUSTICE SYSTEM

**Mr Gary Carr (Oakville South):** People in Ontario are very unhappy with the administration of justice in Ontario. Recently there have been court backlogs and thousands of cases were dismissed before going to trial. There have been increased tensions between the police and the Ontario government. Police have been forced to become political, so that they now have to be concerned with far more than their normal policing duties in their communities. The public is questioning the administration of justice that gives very lenient sentences and allows convicted criminals out on the street.

So many people have voiced their displeasure and frustration that we in the Progressive Conservative Party have decided to take a positive, constructive consulta-

tion with the public and various organizations involved with the justice system. That is why we formed the Mike Harris task force on crime, justice and community safety.

We have had thousands of definite concerns raised by Ontarians about specific aspects of crime, justice and community safety, and we continue to welcome opinions. People are joining with us in examining the problems facing the system and proposing changes. If we hope to prevent crime and deal with its consequences, the public, police, social agencies and governments must work together to find and implement practical solutions.

#### KELSEY-HAYES CANADA

**Mr Kimble Sutherland (Oxford):** Despite all the doom and gloom we're hearing from the opposition, I'm very pleased today to report some good economic news that occurred in my riding recently. That is the announcement by Kelsey-Hayes Canada of a \$6.5-million expansion of its assembly plant in my riding.

One of the reasons Kelsey-Hayes is expanding its plant is the top-quality work that is produced as a result of good cooperation between management and labour, the members of Local 636 of the Canadian Auto Workers. In fact the quality is so good that Kelsey-Hayes has won the Chrysler Quality Award eight years in a row, and last year they were one of only 14 plants in the entire world to win the Chrysler Quality Award seven years in a row.

I want to compliment some of the union leadership there: Ross Gerrie, president of Local 636, and also, at the Beard's Lane plant, Broderick Carey, president of the Oxford Regional Labour Council and plant chair at the foundry of this Kelsey-Hayes plant.

There is good economic news occurring in my riding. Ontario does remain a good place to invest and we have a top-quality workforce, as demonstrated by these wonderful union members who produce world-quality work that has been recognized by Chrysler eight years in a row.

I just want to congratulate all the fine workers at the Kelsey-Hayes plant in my riding and hope that we'll see more good economic news like this occurring not only in Oxford but also in Ontario, as it remains a good place to invest, with top-quality workers who produce world-quality products.

#### CLOSURE OF FISHERIES RESEARCH UNIT

**Mr Michael A. Brown (Algoma-Manitoulin):** I rise once again to bring to the attention of members of this Legislature and to the people of Ontario the impending closure of the South Baymouth fisheries research unit.

On September 30, northern jobs are being transferred

to southern Ontario with no discernible savings to the taxpayers of this province. Commercial fishermen, anglers, the community of South Baymouth and the local economic development group have all been vocal in asking the minister to reconsider this move. Yet without ever acknowledging either the petitioners' request or announcing the transfer of northern jobs in this House, ministry personnel arrived last week to discuss the relocation to the south with employees. The minister has not even had the courtesy to reply to the reeve's letters.

This government has removed one ferry from South Baymouth terminal, through an announcement issued under the cover of Christmas carols, and now has, without even acknowledging the community's concerns, pulled away these important jobs in the community.

The people of Manitoulin, the people of South Baymouth, the people of northern Ontario deserve better. Mr Hampton should come to South Baymouth. Mr Hampton should talk directly to the people affected. This is just unacceptable.

1340

#### INSURANCE TAX

**Mr Bill Murdoch (Grey-Owen Sound):** Once again this government has shown that it does not understand or does not care about small businesses in this province and the needed jobs that they create. I am referring to one of the latest tax grabs announced in the May budget: the introduction of the 8% retail sales tax on the insurance premiums for worker benefit programs.

This illogical move will serve only to force employers who are presently sponsoring group life, medical, dental and disability programs to rethink their policy and possibly to reduce the protection they provide. They may also pass the increased costs on to their employees, who are already suffering financially because this government has no idea how to manage our money.

As well, employers who provide no fringe benefits will not be affected. Does the Treasurer not understand that he has taken away any incentive for them to adopt these programs in the future?

One example of a business wrestling with decisions because of this increased levy is Edwards in Owen Sound. It is a major company in my area which employs around 630 people. As of July 1, it began paying almost \$80,000 in extra taxes to the Treasurer. Edwards officials say that this cost will have to be offset with reductions elsewhere and that jobs will invariably be affected in some manner.

The Treasurer must realize that he cannot keep businesses here or attract any new ones if he keeps raising the cost of labour. If companies are to be taxed, surely the proper approach is to tax profits, not expenses.

This illogical, ill-conceived tax will hurt far more than it will help. I would ask the Treasurer to scrap it and come up with a solution which makes more sense for employers and employees alike.

#### MOUSELAND

**Mr Donald Abel (Wentworth North):** I would like to share with you a modern-day version of Tommy Douglas's famous story Mouseland.

It is called Mice in the House and coauthored by District 6 of the United Steelworkers of America. This story, like the original, takes place in Mouseland, a nice place to work and play except for one thing: The cats who govern Mouseland took the lion's share of everything. Things went on this way for a long time.

Of course, the fat cats thought this was a fine way to run things, but for the mice it was another story. The cats jacked up rents. They polluted the cities and countryside. They grabbed all the money and left the mice begging. Finally, enough was enough and the mice were elected to the House of Mouseland.

Mouseland rejoiced. Mice expected great things, but running Mouseland was no picnic. The cats retaliated. They did everything they could to make life tough for the mice. They shut down factories and threw mice out of work. They used the press to try to turn mice against one another. But worst of all, the cats left the cupboard completely bare.

But the mice kept working. They built lots of good warm mouse holes and kept rents low. They trained thousands of mice and put them back to work. They worked together to make Mouseland a better place to work and play. There wasn't a lot of cheese, but they made sure that both mice and cats received and contributed their fair share.

But the tough times took their toll. Some of the mice started squabbling. Some said that the head mice weren't brave enough confronting cats. The cats thought this was great stuff and did all they could to fuel the fire. Times were not easy, but the mice knew they were better off than if the fat cats were running the show. The mice refused to give up. They knew they had achieved many good things and to this very day continue to work to build a better and more fair Mouseland.

#### SOCIAL CONTRACT

**Mr Charles Beer (York North):** As the Minister of Education and Training knows, the Ottawa Board of Education and the Metro Toronto boards have been told to pay the provincial government collectively over \$100 million under the social contract, this despite the fact that neither of these boards receives grants from the province.

In their attempt to understand the implications of what the province has proposed, boards are finding that once again there are more questions than answers. The boards would like answers to the following questions:

(1) How is the money to be paid to the province and for how long?

(2) What will happen if the Metro and Ottawa boards take the province to court and win? How will this impact on the government's target under the social contract?

(3) What guarantee do Ottawa and Metro residents have that the government will use the money to pay down the deficit as initially promised?

Yesterday, the public school boards in Metro Toronto launched a radio campaign. They will be asking ratepayers for their views on the social contract before deciding how to respond to the province's demand.

The reality is that should they decide to take legal action against the government, they may win. One can't help but wonder what impact this will have on the government's target, or will the government decide at the last minute to reduce the total amount, as it did with Hydro?

The real question has to do with our children and the impact the government's so-called social contract will have on them. Not once during social contract talks did the government talk about measures to preserve and improve the quality of education for our children. Spending \$3 million on a royal commission doesn't help deal with the impact of the social contract on our kids.

**Mr David Johnson (Don Mills):** Press reports today indicate that the Metropolitan Toronto School Board has had to resort to placing radio advertisements in an attempt to consult with the public over its required \$93-million social contract contribution to the province.

The Metropolitan Toronto School Board receives no transfer payments from the province, and it has been put in the awkward position by this government, through the social contract process, of raising money from the property taxpayer for education purposes and then turning this money over to the province for completely different purposes.

The school board is also concerned about how dangerous a precedent this could be, as there is no guarantee that this type of funding demand is only for the length of the social contract.

I quote from the August 31, 1990, press conference from the Metropolitan Toronto School Board when the board asked all parties about their position on financing public education in Metro. Mr Rae promised "to restore Metro's funding to at least the 1981 level of 21%."

I also quote from the Metro chair, Mae Waese, who said: "All three leaders have assured us that they would oppose taking education dollars raised from the Metro taxpayers to fund education in other parts of the province. Such a situation would be a major threat to our tax base, and it is a great relief to know that this is not something that we have to fear in the coming months."

A far cry from the reality of today's social contract

in Bob Rae's Ontario.

#### MEMBER'S COMMENTS

**Mr Gordon Mills (Durham East):** I want to take this opportunity to put on the record for the benefit of all, and especially for the leader of the third party, that I have been unjustifiably attacked without provocation by the member when introducing Bill 103 for the committee of the whole.

The leader of the third party—and I have it right in Hansard here—said that I was displaying a "partisan, cheap-shot attitude" in dealing with Bill 103.

I defy anyone in this House to show any justification for that scurrilous attack.

Let me quote from Hansard my exact words on concluding my brief opening remarks. I said, "I'm sure my colleagues on all sides of the House will want speedy passage of this very worthwhile legislation." Then I added, "Basically, every member in this House is behind this and wants to see this get third reading."

Later, one of the members opposite, the member for Leeds-Grenville, complained that I hadn't mentioned their part in this debate. I acted immediately on it, rose to my feet and said I wished to "recognize the contribution of both the third party and the official opposition in making this bill a success and being able to proceed with it today."

I want to challenge the leader of the third party to tell the truth, admit his mistake and apologize for the spurious, vicious and unjustified accusations he chose to insult me with last week. I have it all in Hansard, and I ask everyone to examine it and come up and make—

**The Speaker (Hon David Warner):** The member's time has expired.

**Mr Mills:** This is awful. It is absolutely disgraceful.

**The Speaker:** The member's time has expired.

**Mr Mills:** I don't care.

*Interjections.*

**The Speaker:** Order.

**Mr Mills:** It's a lie. It's a lie.

**The Speaker:** The member for Durham East, just relax.

*Interjections.*

**Mr Mills:** Have the guts to stand up and say it.

**Mr Norman W. Sterling (Carleton):** On a point of order, Mr Speaker: I know the member for Durham East is upset, but he did say: "It's a lie. It's a lie. It's a lie."

**The Speaker:** The member for Carleton has a point of order. Indeed, I would ask the member for Durham East to please withdraw the unparliamentary remark.

**Mr Mills:** This is the evidence. How can you say it's a lie?

**The Speaker:** Order. Would the member for Durham East please take his seat.

**Mr Mills:** I'll withdraw it because I want to be here today, but it's the truth.

**The Speaker:** Well, you said the two magic words.  
1350

#### HABITAT FOR HUMANITY

**Mr Will Ferguson (Kitchener):** People giving people a hand up instead of a handout: that's what happened in my home town last week. The former Governor General of Canada, Ed Schreyer, and his wife, Lily; the former President of the US, Jimmy Carter, and his wife, Rosalynn; in fact, even the Premier was there working side by side with over 600 other volunteers who decided to build 13 homes under the auspices of Habitat for Humanity.

On Monday, the foundations were poured. By Saturday, people moved into their new homes. Habitat for Humanity, as most know, is a non-profit organization that secures time, money, materials and volunteer labour to ensure that individuals can have a home, individuals who perhaps otherwise may not be able to afford a home.

It truly was an amazing community event. When they needed to put up the drywall, the media stated that drywallers were needed and, miraculously, drywallers showed up. The same happened when it came to plumbing or the electrical work. All the skilled trades joined in to give a helping hand.

While most of the media attention focused on the Premier, former President Carter and the former Governor General, the individual who really is the unsung hero of Habitat for Humanity in Canada is Reverend Wilbur Martin, who decided to take a leave of absence from the pulpit approximately two years ago and really put Habitat for Humanity Canada on the map.

#### SPEAKER'S RULING

**The Speaker (Hon David Warner):** I have carefully reviewed the report presented on July 22 with respect to an appeal from the ruling of the Chair of the standing committee on estimates.

As I understand it, the member for Durham West sought to raise a point of order at the committee meeting on July 21 relating to an occurrence in that committee on July 20. The Chair of the committee declined to allow the point of order on the ground that it related to activities of the committee on the previous day. The ruling was made on the issue of timeliness.

At page 396 of the 21st edition of Erskine May's Parliamentary Practice it states, "Speakers have exercised discretion over the taking of points of order and have indicated at what point in the proceedings they are prepared to hear them."

The Chair of the standing committee on estimates in this situation was technically correct in his decision that a point of order by convention should be timely, and under normal circumstances would not be allowed on an

occurrence of a previous day. However, in reviewing the details of the report and the committee Hansard of both meeting days, I find that the member for Durham West did in fact attempt to bring the matter to the attention of the Chair on July 20 and was prevented from doing so. Thus, the first available opportunity for the member to raise his point of order was at the commencement of the committee proceedings on July 21. This the member for Durham West sought to do.

It is my decision, then, that the member for Durham West should have been allowed to raise his point of order at the time that he did for the consideration of the Chair. I trust that the committee, which perhaps is meeting today, may have an opportunity unanimously to solve the difficulty which the committee was presented with.

#### ORAL QUESTIONS ONTARIO HYDRO

**Mr Sean G. Conway (Renfrew North):** I have a question for the Minister of Health, who I believe is about the precinct. I'll stand the first question down to the Minister of Health and take a second question to the leader of the government.

There has been much discussion inside and outside Ontario Hydro about privatization. It is no secret to anyone who knows anything about what's occurring in Hydro affairs that the new management particularly is looking very seriously at privatization as an option to assist with the rehabilitation of the debt-ridden utility.

My question to the leader of the government is simply this: Since this decision will be made at the very least with the involvement of his government, can the Premier indicate what the policy framework will be from his point of view with respect to changing any aspect of Ontario Hydro's heretofore monopoly in matters of electrical generation, distribution and transmission in the province of Ontario?

**Hon Bob Rae (Premier):** I am delighted with a question of substance from the member opposite. He describes the utility as debt-ridden. Without for a moment wanting to engage in any excessive partisan discussion, I would say to him that I think that is a fact with respect to the history of Ontario Hydro, previous governments having taken decisions which have left Hydro with an enormous financial burden and which we now find and have found over the last several years since forming the government have placed Hydro in a very, very tough predicament with respect to its affordability, the rate structure which it charges to consumers and the general level of efficiency with which it is able to run.

Mr Strong, as chairman of Ontario Hydro, has carried out some very difficult decisions which have come from within the organization. They've come from within the Hydro board and from within the senior levels of

management at Hydro after a long period of discussion with its employees.

I can say to the honourable member that any decision with respect to a major reorganization of Ontario Hydro would obviously require legislation, as we understand it, and would obviously not be something in which the government would simply be involved. It would obviously be a decision of the government, not simply a decision of the Hydro board or of anyone else.

**The Speaker (Hon David Warner):** Could the Premier conclude his response, please.

**Hon Mr Rae:** I can say to the honourable member that there have been no cabinet discussions with respect to the issue of privatization, whatever that means exactly, because it's a word that has many different meanings and many different possibilities. There have been no cabinet discussions either at the committee stage, at the policy and priorities stage or at full cabinet.

What we do know and what is under way within Hydro and within the government is a serious assessment of how we can provide the citizens of the province with the most efficient and affordable power, which we see as being in the historic mandate of Ontario Hydro going back to Sir Adam Beck.

**The Speaker:** Would the Premier please conclude his response.

**Hon Mr Rae:** I know the honourable member, as a historian of the province, and there really is no one in the House with equal knowledge of the history of the province, with perhaps one or two exceptions—

**The Speaker:** Would the Premier please take his seat. Supplementary.

**Mr Conway:** Hydro has some very considerable assets. According to its latest report, it has assets in the range of \$45 billion to \$46 billion. Many of those assets are of very real interest, I suspect, to the private sector in this country and elsewhere. It's also well known that under Mr Strong's leadership, there is well advanced now at Hydro a plan to privatize certain parts of the Hydro monopoly.

**1400**

My question to the leader of the government is simply this: Can he indicate, as the leader of the government, what his views are or might be with respect to breaking up this public sector monopoly, which he rightly observes is rigorously reinforced by the Power Corporation Act among other statutes of this Legislature? What does he, as the leader of the government of Ontario, see as the policy framework in which privatization of some parts of generation, of some parts of transmission, of some other parts of the Hydro monopoly might occur?

**Hon Mr Rae:** I must contest the fundamental assumption behind the member's question, and that is to say that the assertion he's made, as he frequently does

in the House, where he confuses a point of his own opinion or conjecture and then asserts it as a matter of fact, is an interesting form of argument.

But I would say to the honourable member that it sometimes leads to very false conclusions. It's one thing to build, on a daily basis, a mountain out of a molehill, but it's important to have one's foundations secure when seeking to build the Matterhorn, which the honourable member attempts to construct every day.

I would say to the honourable member that I have no reason to believe, in particular, his assertion that there is a plan, a well-developed plan within Ontario Hydro for the privatization of certain parts of Ontario Hydro. There have been no discussions within the government of any such proposal or any such plan.

Rather, the chairman and I have discussed the fact that Hydro has a significant debt problem and debt challenge, that there already is under way a process of reorganization with respect to Ontario Hydro and its management and that we obviously want to consider all of the ways and all of the possibilities as to how Hydro can best serve the public.

But I would say to the member that one of the criteria I'd apply is that first of all the monopoly is not now absolute, as he well knows. We have private power supplying parts of the system, as he well knows.

**The Speaker:** Could the Premier conclude his reply, please.

**Hon Mr Rae:** We also have the municipal electrical associations, which have a sense of ownership of the system that they have asserted from time to time.

But I would say directly to the honourable member that my concern overall is with the integrity of Ontario Hydro, is with respect to its mandate to serve the public, which I think is primary, and with respect to the need for us to continue to provide public power at cost to the public in a way that is the most efficient and the most reasonable. That's the direction the government is taking.

The assertion he's making, that there is some plan to break up Hydro or that there is some well-developed plan to sell off part of its assets, I would say is quite untrue.

**Mr Conway:** Final supplementary to this question to the Premier: As a social democrat and as leader of the government of Ontario, what parts of Ontario Hydro are you prepared to see privatized, beyond that which has already occurred?

**Hon Mr Rae:** I would say to the honourable member that he is attempting to construct a question and scenario which is, I would say to the honourable member, not a path which the government or this particular Premier is prone to or a path which I have any intention of following.

I would say directly to the honourable member that

I think he's barking up the wrong tree, and I say that to him as kindly as I can. I think that the issue he should be addressing and which I would be interested in hearing is what are the positive policy alternatives presented by the honourable member.

He has been such a singular advocate of nuclear power, which we now know is the most inefficient part of the entire system. He was one of the most singular defenders of the nuclear system when he was in government. I can remember when, in opposition, he was as singular, saying: "Build Darlington. Build more Darlings. Build bigger nuclear stations. Build more reactors."

I would say to the honourable member that he and his government, of which he was a member for five years, bear a very heavy responsibility for the very difficult decisions any government would have to take in terms of restoring the financial integrity of Ontario Hydro.

#### SOCIAL CONTRACT

**Mr Sean G. Conway (Renfrew North):** My second question is to the Minister of Health. Is the Minister of Health aware that under her government's social contract charitable organizations like the Red Cross, the Victorian Order of Nurses, the Alzheimer Association of Ontario, to name but three, will be compelled to pay over to the government of Ontario 5% of their annual charitable donations?

**Hon Ruth Grier (Minister of Health):** Questions with respect to the social contract are within the purview of the Minister of Finance, and I will refer the question to him.

**Hon Floyd Laughren (Minister of Finance):** The social contract talks are going on as we speak, and negotiations on this and many other matters are quite active. The point that has been raised by the member is correct. That is one of the items under discussion and under negotiation at the social contract table.

**Mr Conway:** The Ontario division of Red Cross has told the Ontario Liberal caucus today that they have been told to prepare a cheque in the amount of \$1.7 million this year and to make that cheque payable to the government of Ontario.

Those discussions are ongoing, it is true, but all of the charitable organizations operating in the health care field, like the Red Cross and the Alzheimer Association and the Victorian Order of Nurses and the Arthritis Society, have been told as recently as today that they must be willing and they will be compelled to offer up 5% of all charitable donations in the next few years as their share of the social contract.

The minister is aware of this because I gather two weeks ago Red Cross and others put this concern to him. Is he prepared today to relieve these charitable organizations of this unconscionable and unfair burden which has been imposed on them but which was not

imposed on similar organizations in the community services sector?

**Hon Mr Laughren:** I would remind the member for Renfrew North that these organizations do receive money from the taxpayers of this province, and it is not totally charitable contributions that fund these organizations. I would just put a word of caution to the member not to categorize all of their funds as having come from charitable contributions, because they do receive money from the Ontario government. I don't think the member would suggest that they be exempt totally from the social contract exercise, even though his caucus did vote against us trying to achieve compensation savings in the public sector.

**Mr Conway:** I say to the Minister of Finance that we in the Liberal Party have today spoken to people at organizations like the Ontario division of Red Cross, the Arthritis Society, the Alzheimer Association, the Victorian Order of Nurses, and these people are making it very clear that what they want is an exemption that you've already provided in the community services sector. They rightly resent your tax on their charitable donations.

Let there be no confusion. The Ontario division of the Red Cross has said today that it has been told by Mr Laughren's negotiators at the table repeatedly over the last number of days and weeks that it will be expected to offer up 5% of its charitable donations. Surely the Treasurer agrees with me that the social contract must not mean a tax on charitable organizations. It must not mean a tax on charitable donations.

**Hon David S. Cooke (Minister of Education and Training):** It's not on the donations. Don't be so silly.

**Mr Conway:** It is on the donations, and if you don't believe me, talk to the Red Cross, talk to the Victorian Order of Nurses.

**The Speaker (Hon David Warner):** Would the member place a question, please.

**Mr Conway:** They have been told specifically by your negotiators that they must offer up 5% of their charitable donations over the next few years. Will you, Mr Minister of Finance, give these charitable organizations, doing wonderfully good works, like Meals-on-Wheels, running blood donor clinics, offering a range of seniors' services—

**The Speaker:** Would the member complete his question.

**Mr Conway:** Will you give these charitable organizations in the health care field the same exemption that you have already provided to the community services sector?

1410

**Hon Mr Laughren:** I don't want to be unkind but, once again, the rhetoric of the member for Renfrew North exceeds his grasp of the facts. We are not impos-

ing a tax on charitable contributions but rather on compensation. It's not a tax; it's a contribution under the Social Contract Act.

No one on this side questions the value of work and service provided by the organizations delineated by the member. We all understand the good work they do.

In conclusion, while negotiations are going on with those very organizations in the health care sector, we're certainly not going to engage in negotiations here on the floor of the Legislature.

#### ONTARIO HUMAN RIGHTS COMMISSION

**Mr Charles Harnick (Willowdale):** My question is to the Premier. Yesterday the Ombudsman tabled a report on the Ontario Human Rights Commission. She found, and I quote, "delay in commencing, conducting and completing investigations."

Every time this issue is raised, the government responds by throwing money at the problem. In fact, you and the Liberals threw so much money at the commission, its budget increased by almost 100% between 1989 and 1992. But money is not the solution if cases continue to take for ever to complete.

Premier, what do you intend to do to ensure that human rights in this province are upheld?

**Hon Bob Rae (Premier):** I'll refer that to the Minister of Citizenship.

**Hon Elaine Ziemba (Minister of Citizenship and Minister Responsible for Human Rights, Disability Issues, Seniors' Issues and Race Relations):** I welcome the opportunity to talk about making sure that human rights issues are addressed in Ontario. I know that we share, on both sides of the House, the concerns that we do make sure that human rights issues are addressed promptly and expediently.

I also take note that you have said the Ombudsman has reported that she has concerns about the delays in the procedures. We have taken all the steps we can in making sure that the process under the existing code is applied so early settlement initiatives have been addressed, and we've been trying to get that procedure under way.

However, there are some concerns that still have to be addressed. We understand that and we do take great concern about that. We are now looking at various reports that have been done over the previous years to see if there are areas that we can address by taking some other measures, non-legislatively, so they can be done expediently, and as well if we can address some other issues through looking at amending the code.

**Mr Harnick:** It's interesting that the only time the Human Rights Commission ever improves is when the Ombudsman is looking over the shoulder of the commission.

There have been three procedural reviews, including the coroner's report. The commission is still plagued by

ineffectiveness. A member of our caucus staff recently testified at a case that's seven years old, and it's going to resume again in February 1994.

The Ombudsman, in one case, made some conclusions. She said, "The actions of commission staff in at times subjecting Ms R to less than professional and courteous conduct were oppressive." She went on to say that the commission's actions in pressuring Ms R to accept a settlement she considered inappropriate were coercive and, as such, oppressive.

Clearly, these examples confirm the Ombudsman's findings. How much more evidence do you need and how much more time and money do you intend to spend on reviews before you take action?

**Hon Ms Ziemba:** First of all, I want to make it very clear that I'm not going to address a specific case that is before a board of inquiry. I would hope that no member in this House would do so, so that we don't prejudice a case that is before a quasi-judicial body.

But having said that, I would like to say very clearly that we have looked at the studies, the reports, and I promise you, Mr Speaker, and I promise the member opposite that there will be no more reports done to see about the procedures.

I might add that there have been reviews taken of the Ontario Human Rights Commission that go back many years that were not addressed by previous governments as well. The Coopers and Lybrand reports that were done in 1985 and 1987 were not addressed. Not until we came into government did we start to look at these reports and start to implement the non-legislative procedures that were initiated and were brought about by this government. We do share your concerns and we continue to do so.

If we want to make sure that the Human Rights Commission works properly, this is not a political issue; it's an issue that all of us should share, that all of us should be working together to make sure that we do so. I take your comments very seriously. I take my other critic's comments very seriously. I've met, of course, with the critic from the Conservative Party. We have worked very hard together to make sure that we can look at all the issues.

**Mr Harnick:** All of these nice words don't amount to a hill of beans. The Ombudsman looked at 38 cases, starting in 1989. Thirty-one of those cases are still around. Cases are not getting dealt with. The most disturbing conclusion in the Ombudsman's report is that "it may be that the present system for enforcing human rights in the province cannot be brought to a truly acceptable state as long as the system remains within the confines of the existing legislation and organizational framework."

It's time to quit hiding behind the tired excuse that the commission operates at arm's length from the

government. If the body charged with the responsibility of upholding our human rights in this province is not working and may never work, what do you intend to do?

**Hon Ms Ziemba:** As I said earlier, we're taking a review and making sure that the non-legislative measures that make this process work properly are being looked into, and we're implementing those as quickly and as speedily as we can. The legislative areas of amendments that we must concern ourselves about are now under review and we will be coming back to the House and coming back to our cabinet colleagues to see if there's an opportunity for us to address those amendments reviews and amendments to the code in our legislative time that we have available to us.

But again, I must say to all of you that human rights issues are extremely important in this province. We want to make sure that we carry out those cases in a very effective way, that people have their day in court and that their rights—

**Mr Harnick:** You're not. You're doing it in a discourteous, coercive way.

**The Speaker (Hon David Warner):** Order.

**Hon Ms Ziemba:** —made sure that they are treated fairly and equitably. I'm very pleased that some of the areas have been addressed in a non-legislative manner and that we have taken those steps, even though Coopers and Lybrand did suggest and make clear these recommendations in 1985.

1420

#### ONTARIO PUBLIC SERVICE SETTLEMENTS

**Mr Ernie L. Eves (Parry Sound):** My question is to the Premier. In February of this year, you decided to get rid of several dedicated and capable deputy ministers. Why? For no other apparent reason than to impose your political partisan stripe on a neutral civil service.

I understand that one of those deputy ministers, Mr David Hobbs, has continued to collect his full deputy minister's salary of approximately \$140,000 a year, despite the fact that you decided his dedication and experience were no longer necessary. Can you confirm that in fact Mr Hobbs continues to collect his full deputy minister's salary?

**Hon Bob Rae (Premier):** I can't and there's a simple reason for it, and that is that the settlements involved in deputies leaving the employ of the government are arrived at individually with people. They are negotiated. Let me say this directly to the honourable member. So with respect to the point about the settlement arrangements, in any individual case it would be improper of me and in fact contrary to the freedom of information act, and with respect to the privacy of individuals, which is very real. I'm surprised the honourable member wouldn't understand that. I'm sure he is aware of it.

I would say to him that I reject categorically his description of what has taken place since we formed the government, and I must say, for a member of the Big Blue Machine of such honoured stripe as the member for Parry Sound to talk about the politicization of the public service of this province, I'm surprised that his tongue didn't cleave to the roof of his mouth when he spoke those words, because he would surely know how bizarre that is coming from the 42-year-old regime of the Progressive Conservative Party.

We have appointed people on merit. There are some people who have left, people of great ability—

**The Speaker (Hon David Warner):** Would the Premier conclude his reply, please.

**Hon Mr Rae:** —and of great talent, who will continue to serve the public of the province in a variety of ways. I would say to the honourable member that I reject categorically and completely the assertion that he's made.

**Mr Eves:** For the Premier to stand in this House and talk about other parties being partisan in political appointments, I can tell you categorically that before you and your government came on the scene, the civil service in this province was indeed independent, dedicated people, and even my good friends to the right of me recognize that fact. I also understand, Mr Premier, that—

*Interjections.*

**The Speaker:** Order.

**Mr Eves:** Mr Speaker, through you to the Premier: I understand that Gary Posen, former Deputy Minister of Transportation, is also collecting his salary, and they are but two.

This policy of yours to replace upper-echelon civil servants is costing the taxpayers of the province a bundle. How many deputy ministers and how many assistant deputy ministers have continued to be paid by the taxpayers of this province after you've decided to fire them, for no other apparent reason but their political stripe didn't necessarily match yours?

**Hon Mr Rae:** I would say to the honourable member that his description of what has taken place—first of all, any large organization such as ours which is going to reduce the size of its upper management—at one time, under the leadership of that government, there were 44 deputy ministers. There are now 30. We have downsized. Like every other major organization in the western world, we have taken a decision to downsize, starting at the top in terms of reducing the size of cabinet, reducing the number of deputy ministers.

When people leave, they leave under terms of settlement and under terms of severance, as they did under your administration, as they did under that administration, and to turn this into some sort of a partisan exercise is beneath the member for Parry Sound, a

member of whom I spoke warmly and fondly when I visited his constituency a short two weeks ago. If I'd known how the worm would turn, I must say I might have treated that visit in a slightly different way than I did when I was so happy to be in the member's constituency just a short two weeks ago.

**Mr Eves:** I am sorry that the Premier finds it difficult that he has 30 deputy ministers but he's paying 60 to do the job of 30. If that's the problem, if that's downsizing—somewhat like his cabinet downsizing. He started with 25, got rid of five and hired seven and ended up with 27. That's called downsizing the NDP way.

It was bad enough when you appointed your former campaign manager and principal secretary as commander-in-chief of what should be a neutral and professional and independent civil service. But now you're asking every single public sector servant in the province of Ontario to cut back, you are wasting at least hundreds of thousands of dollars, possibly millions of dollars, to get rid of civil servants you don't like. Can you tell us what the total cost is to dismiss these upper-echelon civil servants?

**Hon Mr Rae:** I would be glad to provide the member with a comprehensive approach, not only to the question of deputy ministers leaving the system but also with respect to other voluntary exits. I would say to the honourable member that in order to achieve a significant downsizing, it is necessary, as he will know, when you're dealing with people who have contracts of employment and order-in-council appointments, to reach reasonable settlements that involve severance. You did it. They did it. Anybody would do it. And it's a cost which is borne by a corporation. Northern Telecom is having to do it. IBM is having to do it. Every major organization is having to do it. There is absolutely no difference between our determination to deal with this issue and to deal with it fairly—

**Mr Chris Stockwell (Etobicoke West):** They're not replacing those people, Bob. Get a grip.

**The Speaker:** Order, the member for Etobicoke West.

**Hon Mr Rae:** —and any other government dealing with it in a fair and upfront way. Short of behaving like an administration with no respect for people's rights in law, it is simply not possible to sever people without offering them some compensation in exchange for that severance. That's the fact.

*Interjections.*

**The Speaker:** The member for York Centre, please come to order.

#### JOBS ONTARIO

**Ms Dianne Poole (Eglinton):** My question is to the Minister of Education and Training. Will the minister tell the members of this House exactly how many Jobs

Ontario brokers, sub-brokers and employers have been or are currently under investigation by Jobs Ontario Training for fraud or misappropriation or mismanagement of funds?

**Hon David S. Cooke (Minister of Education and Training):** I believe that there are a couple who have had some difficulties. I believe the number is two or three in the province. I don't have the exact number.

There are well over 100 brokers and sub-brokers in the province and they are dealing, obviously, with millions of dollars. We have regular auditing of the brokers across this province. If there are any financial difficulties that are discovered, as you would expect when there are many people involved, many agencies involved and millions and millions of dollars, they are discovered immediately and the ministry moves in in order to take remedial action. That's what's happened. That's what will continue to happen.

**Ms Poole:** Mr Minister, you might be aware of two or three cases, but the official opposition is aware of at least four investigations going on. In addition, we know that contracts with several brokers and sub-brokers have been cancelled due to allegations of financial mismanagement.

The minister might refer to "some difficulties," but we wouldn't call the \$640,000 that's been lost from Jobs Ontario in Brantford a small difficulty. There are also allegations that hundreds of thousands of more dollars have been given to the employment and immigrant training organization in Scarborough and that they've been misspent.

Jobs Ontario is a \$1.1-billion failure and a fraud. In light of the problems with the lack of financial controls by Jobs Ontario, on July 8, Lyn McLeod and I asked you to call in the Provincial Auditor. As each day passes and more cases come to light, it becomes more and more urgent. The taxpayers of this province must be assured that their hard-earned dollars are not being wasted or misspent. Will you call in the Provincial Auditor without delay?

**Hon Mr Cooke:** That is one in a series of ridiculous questions about the Jobs Ontario Training program. As I said, there are well over 100 brokers and sub-brokers in this province. Of course there are going to be a couple of areas where you're going to—

*Interjections.*

**The Speaker (Hon David Warner):** Order.

1430

**Hon Mr Cooke:** All of the difficulties have been discovered by this ministry when we have been doing our regular financial accountability. We've involved the community, and this program—

*Interjection.*

**The Speaker:** Order, the member for Eglinton.

**Hon Mr Cooke:** She's talking about four brokers. She's making an accusation about the one in Brantford, which she knows is currently under investigation by the police and shouldn't even be raised in this House because the matter was turned over to the police. She should respect the process in this place.

In the meantime, we have created under this program nearly 30,000 jobs, many of which are going to people on social assistance and have saved the taxpayers of this province millions of dollars by getting people back to work. She can describe this program as a failure, but the fact of the matter is that for the 28,000 jobs that have been created for the thousands of people on welfare who are now in the workforce, this is a successful program.

I could go through the two pages of questions that have been raised by that member, where she's been consistently and totally wrong. Whether it's the buttons that she said were made in Taiwan or whether it's the individual cases, she doesn't understand the program. She never will.

#### FUNDING APPLICATION FORM

**Mr Chris Stockwell (Etobicoke West):** My question is to the Premier. I have in my hand a copy of a form 1 from the Ministry of Health and the Ministry of Community and Social Services. It's the 1993-94 Funding Request Service Provider Profile. This form is a standard form that's been used for the last number of years; a couple of decades, in fact.

This standard form is filled out by service providers who are looking for funding from your government to provide such things as home care, but there's a very new wrinkle this year and a very new question. On this year's form it asks the service provider to include the name of his or her provincial riding. Premier, what on earth does the service provider's provincial political riding have to do with providing health and social service care?

**Hon Bob Rae (Premier):** I'd have to see the form before I could comment on it. If he wants to quote from a form, perhaps he could do us the honour of passing over a copy.

**The Speaker (Hon David Warner):** Supplementary?

**Mr Stockwell:** I'd like to let him see the form before I get my supplementary in.

**Hon Mr Rae:** The member refers to the political partisanship issue when all that's being asked is the provincial riding of head office, the provincial riding of program delivery. I think you're reading far more into this than would be required. I would have thought that as a member you'd want to know about applications that are coming in from your constituency. Perhaps the explanation would be—I would think it would be—that it's simply an effort to provide information not only to the ministry but also to members of the Legislature with

respect to where funding applications are coming from.

**Mr Stockwell:** I didn't say anything about political partisanship; I just asked why it was on the form. You yourself came up with the answer that I was asking about political partisanship. Naturally, that leads into the supplementary question.

Considering that you have such a guilty conscience with respect to the question of political partisanship in terms of the form, we phoned the ministry offices to ask those people in the front line why this new question was on these forms this year. They said: "We have no idea. We have no idea why this question was put in, we have no idea who wanted this question put in, and we have no idea why this question is on the form this year."

Therefore, it would seem reasonable to conclude that the government would like to know exactly what political ridings are receiving funding through your particular ministries and what political stripe happens to represent that riding.

Considering that the ministry staff has no idea why this question is on there, considering that this question has never been on the form in past history and considering that it's your government that has instituted this new question, would you not think it's reasonable to conclude that the reason this question is there is based on political preference, and the funding will go to government-held ridings and not opposition-held ridings?

**Hon Mr Rae:** I would say that judging from the—

**Mr James J. Bradley (St Catharines):** Don't look to the press gallery for help.

**Hon Mr Rae:** Have I ever asked you for help? Have I ever received help from up there? Give me a break.

*Interjections.*

**Hon Mr Rae:** Yes, that explains why we're at 13%.

**Mr Murray J. Elston (Bruce):** You did that all by yourself.

*Interjections.*

**The Speaker:** Order.

**Hon Mr Rae:** This form the member has referred to: First of all, it's precisely because I've got to know the honourable member over the last two and a half years that when he referred to the political partisanship issue, he then goes—it's like listening to the member for Renfrew North. They turn it from a molehill to a Matterhorn in 22 picoseconds. It's unbelievable to watch this construction.

What does the form say? "Provincial riding of head office. Provincial riding of program delivery. Date of incorporation. Languages of service. Date of last general meeting. Contact person for funding request. Chief, mayor, reeve or chairperson." Why would we want to know the mayor or reeve or chairperson? "Geographical boundary in which service is provided. Executive director," and all the rest of it.

I say to the honourable member that there must be room in his heart, and if not in his heart in his mind—I can hear him shaking his head, so I know there's room in his mind; I can hear him from over here.

**The Speaker:** Could the Premier conclude his reply, please.

**Hon Mr Rae:** There's lots of room in there. There must be room for a nonpartisan breath, thought, a little twinge, a slight tinge of conscience, that would allow him to come up with an explanation which is entirely in keeping with the public interest and with public policy and has nothing to do with the kind of cheap partisanship to which he so narrowly refers.

#### RACCOON RABIES

**Mr Gary Wilson (Kingston and The Islands):** My question is for the Minister of Natural Resources. Raccoon rabies has become a major public health concern in many parts of the United States. As you know, unlike foxes, cats or dogs, there's no vaccine against raccoon rabies.

This virus has been moving farther north every year. My riding of Kingston and The Islands borders New York state, where last year the state confirmed 1,761 rabid animals, most of them raccoons. Raccoon rabies could become a serious problem in Ontario as early as next year. What is your ministry doing to protect the province against the spread of this deadly disease?

**Hon Howard Hampton (Minister of Natural Resources):** As the member alleges, raccoon rabies is quite a serious problem in New York state. It is not yet a problem in Ontario. We have at this point in time met with Agriculture Canada, the Ministry of Agriculture and Food and the Ministry of Health to look at a funding program which would be available should raccoon rabies become a problem in Ontario.

We recognize that the first line of defence in these issues is always public education and prevention. We want to advise all pet owners that it would be a good idea to have their pets vaccinated. We do know that the current pet vaccination efforts are effective against this strain of raccoon rabies. We'd also advise people not to pick up and transport wild animals such as raccoons or foxes or other wild animals of that variety.

**Mr Gary Wilson:** The provincial costs of treating an infestation are significantly higher than the costs of preventing the spread of rabies. Why has our government reduced funding for rabies programs when this is clearly the most cost-effective solution?

**Hon Mr Hampton:** In fact, the Ministry of Natural Resources, over the past few years, has initiated a number of research programs for dealing with fox rabies and other strains of rabies. Many of these research programs have been quite successful. In fact, Ontario is the first jurisdiction to develop a fox vaccination bait to counteract rabies. As some of these research projects

have wound down or have been concluded—

**Mr Bill Murdoch (Grey-Owen Sound):** When are you going to start using that?

**The Speaker (Hon David Warner):** Order, the member for Grey.

**Hon Mr Hampton:** —funding for them has been withdrawn. So I want to point out to the member that in fact we are still very active on the rabies front and in dealing with raccoon rabies—

*Interjection.*

**The Speaker:** Would the member for Grey please come to order.

**Hon Mr Hampton:** —but we have withdrawn funding on some of the research projects that have been brought to a conclusion.

1440

#### PROVINCIAL PARKS

**Mr John C. Cleary (Cornwall):** I have a question about tourism. In the absence of the Minister of Culture, Tourism and Recreation, I was going to go to the Premier. Now I guess I'll have to go to the Deputy Premier.

Members of the Legislature, especially the member for Quinte, along with every resident in eastern Ontario, are aware that the Tourism ministry has forced closure of seven eastern Ontario parks since 1990. Also aware of these closures are potential tourists who have been turned away simply because the remaining area parks are not sufficient to accommodate them at certain times.

I have pleaded with every successive Tourism minister that private investors be allowed to reopen the parks. I even have with me today a tender notice that states that the St Lawrence Parks Commission, which is an agency of the Tourism ministry, invites innovative business proposals from both the public sector and private sector for tourism-related operations on six waterfront properties along the St Lawrence River. This notice went out almost three years ago, yet interested private investors tell me they are being shunned by this government.

In the absence of the minister and the Premier, Mr Deputy Premier: Is the government truly interested in tourism for eastern Ontario? What concrete steps are you taking to ensure that these parks reopen under a partnership, as this government always preaches?

**Hon Mr Laughren (Deputy Premier):** I appreciate the fact that the member for Cornwall was able to get the question to me in the absence of others here today. I wanted to assure the member—because I know he does have an ongoing and abiding interest in tourism, particularly as it affects eastern Ontario, and tourism is a very important sector in this province; we all understand that—that this government is interested not only in tourism but in promoting tourism and in doing so in

partnership with the private sector. I would simply ask the member to send over to me what information he has, so that I can then share it with the Minister of Tourism and we can have a meaningful and fruitful discussion on the issue which the member has so appropriately raised.

**Mr Cleary:** I will be delighted to do that, Mr Deputy Premier, because I've been shooting it over to that side of the House for a considerable time now.

Earlier this month, on July 18, I personally witnessed potential visitors being turned away because there was no room at the parks that remained open. Media reports say that as many as 1,500 people were turned away.

Does this government not understand the implications of how this affects our local economy? This coming weekend is another holiday weekend, yet we are no closer to having the parks reopened. As a result, I fear that more visitors will be turned away. It is obvious that everyone would gain if the parks were open, including regional investment, job creation in park maintenance and administration, local economy spinoff and of course our tourists, who we'd like to accommodate.

It is well known that this government is dragging its feet or perhaps outright opposing the eastern Ontario tourism base by refusing to take an active role in this matter.

**The Speaker (Hon David Warner):** Would the member place a question?

**Mr Cleary:** What will you personally do to ensure negotiations are complete by the end of this summer and that we will all benefit from the parks being reopened?

**Hon Mr Laughren:** I reject the rather unusually partisan nature of the member's question. I just spent this past weekend in a wonderful, wonderful provincial park in my own constituency called Wakami park, and I invite all members to visit Wakami at some point, because the provincial park system in this province is second to none anywhere in North America. We really do have a wonderful provincial park system.

I do take seriously the question from the member for Cornwall and I will have a discussion with the Minister of Culture, Tourism and Recreation.

#### FEES FOR USE OF CROWN LAND

**Mr Leo Jordan (Lanark-Renfrew):** My question is for the Minister of Natural Resources. The Ontario Federation of Anglers and Hunters has discovered that you will be charging new fees for public services which have always been available free of charge in this province. You're planning, I understand, to charge new fees for caching boats on crown land, for mandatory cottage and home inspection, for camping on crown land, and get this, Mr Speaker, he's also going to have a licence fee for ice huts for the fishermen. Now, that should turn the angler cold if nothing else does. How do

you justify these user fees on crown land?

**Hon Howard Hampton (Minister of Natural Resources):** The member should not believe everything he reads or everything he hears at third hand. In fact much of what the member relates is simply not accurate, and I want to tell him that here now.

The Ministry of Natural Resources was asked by the Ministry of Finance in the budget to look at possible non-tax revenue sources. We have looked at some areas of crown land where crown land is currently being used and is of some value and yet is not being paid for. We have also looked at inequitable situations where some users of crown land are in fact paying a fee but other users who are identically situated or similarly situated are paying no fee whatsoever. But I want to tell the member opposite that no decisions have been reached on these issues, and certainly some of the details which he has related today are quite inaccurate.

**Mr Jordan:** I quote from the news release of the Ontario Federation of Anglers and Hunters:

"The fees will slap a tax on ice fishermen for using a hut. The fees will charge for caching boats on crown land—another blow to anglers and tourism—effectively charge people for protecting the environment by hitting cottagers and home owners with a charge for getting MNR site inspections done."

Taking that, as you stated, you're going to have selective choices from this list, I ask you, how much revenue will be raised from these taxes and where will the money go? Will it go to conservation or towards the government's deficit?

**Hon Mr Hampton:** Let me say again to the member that his list is quite inaccurate. But let me also point out something else to the member. In fact, in many areas of northern Ontario, controlling the number of boats that are cached on a lake is the way in which we try to lower the pressure on the fishery. To allow an unregulated number of boats to be cached on a lake is simply to invite overfishing. So I would ask the member to be mindful of that.

Similarly, on many lakes in northwestern and northeastern Ontario, we do have problems with people who put ice-fishing huts, or in some cases ice-fishing cabins, on lakes and do not remove them in time. We have had some problems with that on some lakes. We have problems with garbage disposal. So some of the issues the member raises are bona fide conservation issues or environmental issues.

#### 1450

I just want to say to the member that even though we charge fishing licence fees and other resource user fees, what we in fact charge in this province comes nowhere close to matching the amount of money we put into fish and wildlife management, fish and wildlife conservation, fish and wildlife protection in this province every year.

### PICKERING AIRPORT LANDS

**Mr Jim Wiseman (Durham West):** My question is to the Minister of Agriculture and Food. Yesterday I rose in this House to indicate that the residents in the North Pickering lands, the lands that were expropriated over 21 years ago by the federal government, are again in a case of uncertainty. Their lives are in turmoil because they do not know what is going to happen to them. They have been put on 30-day leases by the federal government. It has also come to my attention that the federal government has an independence in the lands that they own and that they can do what they wish with them.

Given that these lands are 80% class 1 agricultural lands and given that we have on repeated occasions indicated the need to preserve agricultural lands, could the minister tell us today, tell me, tell my residents, what can be done to help preserve this agricultural land for future generations?

**Hon Elmer Buchanan (Minister of Agriculture and Food):** I think probably the best answer to the member's question comes from what the provincial government did with the south Pickering lands that are owned by the provincial government, where we made a decision to protect about 6,000 acres of those lands for agriculture. We've been meeting with the community groups in the Rouge area, working with them to see what we can do to preserve that land for agriculture.

I think the federal government would be well advised to follow a similar pattern rather than what is being suggested by the member, that they're simply going to sell off the North Pickering lands and not be concerned about agriculture, not be concerned about their future. So I think my advice that we would give the federal government is it should follow our example and preserve those lands for agriculture.

**Mr Wiseman:** Under the worst-case scenario it is possible for the federal government to subdivide all of these lands into quarter-acre estate lots, creating a huge influx into the market, put them on the market, and the people who have bought them would then find that perhaps they are both under the regulations of the Planning Act and under the official plan.

My question to the minister is this: In the element of fairness and the element of clarifying what would happen to those lands, perhaps the minister could explain exactly what jurisdictional processes they would be covered under should those lands be sold back to people, back to the private sector in Ontario.

**Hon Mr Buchanan:** They would have to come under official plans, the same as any other development. I think the question the member raises, though, is around the fear and the concerns of people who live there, who I understand are on 30-day cancellation leases. If you're involved in agriculture, 30 days' cancellation is not a very long time.

I think we need to urge the federal government to clarify what its intent is on that land right away and get on with planning in the Pickering north and south areas so that we can preserve agricultural land. This is good agricultural land and we would like the federal government to be committed as much as we are in terms of preserving the good agricultural land for the future of Ontario.

### DRUG TREATMENT PROGRAMS

**Mr Tony Ruprecht (Parkdale):** I have a question for the Minister of Health. Your ministry is saving about \$60 million a year, having cut off Ontario residents from going to the United States for drug rehabilitation programs, as you know.

Your predecessor has made us a promise about what to do with the savings. This money, she said, would be used to create better drug rehabilitation services in Ontario. Instead, you have made cuts across all programs and, to use a specific example, reduced the number of beds at the Addiction Research Foundation, a methadone clinic, from 60 beds to 20 beds. What is a person going to do once he or she gets off drugs and is being told: "Come back in one year. We might be able to help you then"?

When will you keep the promise made to us and to thousands of addicts who are looking to you to help them get off drugs? When will you keep that promise?

**Hon Ruth Grier (Minister of Health):** Let me say to the member that in fact there has been a considerable reinvestment in health care, and in fact in reduction in drug addiction, as a result of the savings that were achieved by reducing out-of-country health care.

In the member's own community, a methadone clinic is I hope going to be opening in the very near future, where a number of people who are suffering from an addiction can be treated. So I reject his charge that there has not been a provision of extra services.

### PETITIONS

#### HEALTH CARE

**Mr Ron Eddy (Brant-Haldimand):** I have a petition to the Legislative Assembly of Ontario:

"Whereas proposals made under the government's expenditure control plan and social contract initiatives regarding health care in the province of Ontario will have a devastating impact on access to and the delivery of health care; and

"Whereas these proposals will result in a severe reduction in the provision of quality health care services across the province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government of Ontario move immediately to withdraw these proposed measures and reaffirm its commitment to rational reform of Ontario's health care system through its obligations under the 1991 Ontario

Medical Association-government framework and economic agreement."

It is signed by 233 constituents. I affix my signature.

#### GAMBLING

**Mr Dennis Drainville (Victoria-Haliburton):** Again, I add to the thousands of signatures which are against casino gambling in the province of Ontario:

"To the Legislative Assembly of Ontario:

"Whereas the New Democratic Party government has not consulted the citizens of the province regarding the expansion of gambling; and

"Whereas families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas creditable academic studies have shown that state-operated gambling is nothing more than a regressive tax on the poor; and

"Whereas the New Democratic Party has in the past vociferously opposed the raising of moneys for the state through gambling; and

"Whereas the government has not attempted to address the very serious concerns that have been raised by groups and individuals regarding the potential growth in crime;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government immediately cease all moves to establish gambling casinos and refrain from introducing video lottery terminals in the province of Ontario."

I'm very glad to affix my signature to this very fine petition.

#### HEALTH CARE

**Mr Bob Huget (Sarnia):** I have two petitions which are identical in nature signed by 297 constituents of Sarnia and the surrounding area. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas proposals made under the government's expenditure control plan and social contract initiatives regarding health care in the province of Ontario will have a devastating impact on access to and the delivery of health care; and

"Whereas these proposals will result in a severe reduction in the provision of quality health care services across the province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government of Ontario move immediately to withdraw these proposed measures and reaffirm its commitment to rational reform of Ontario's health care system through its obligations under the 1991 Ontario Medical Association-government framework and economic agreement."

I present this petition.

#### SOCIAL CONTRACT

**Ms Dianne Poole (Eglinton):** I have petitions here signed by over 4,000 residents of St George-St David, and Mr Murphy asked me to read them on his behalf.

"To the Honourable the Lieutenant Governor and Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Free and open collective bargaining for teachers has had a long and honourable history in Ontario. In order for change to occur, all parties must work cooperatively, not independently, where one party would be seen as working unilaterally in its own interest. The current economic situation requires both the government and teachers to work together to find an equitable solution.

"The social contract will deny teachers their rightful salaries/jobs and eliminate valuable programs and services for students.

"We ask that the government restore immediately the principles of free and open collective bargaining for teachers. The government must also maintain its share of the funding for public education as defined prior to the June 9, 1993, announcement of reduction in payments to school boards."

#### HEALTH CARE

**Mr Bill Murdoch (Grey-Owen Sound):** I have a petition to the Legislative Assembly of Ontario with 431 signatures to add to the many thousands that have already been read here on this solution:

"Whereas proposals made under the government's expenditure control plan and social contract initiatives regarding health care in the province of Ontario will have a devastating impact on access to and the delivery of health care; and

"Whereas these proposals will result in a severe reduction in the provision of quality health care services across the province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government of Ontario move immediately to withdraw these proposed measures and reaffirm its commitment to the rational reform of Ontario's health care system through its obligations under the 1991 Ontario Medical Association-government framework and economic agreement."

#### 1500

#### PUBLIC SERVICES

**Mr Gilles Bisson (Cochrane South):** I have a petition here from some 47 members of the Ontario Secondary School Teachers' Federation, District 55. It's addressed to the Honourable Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the

Parliament of Ontario as follows:

"That free and open collective bargaining for public service employees be restored and be returned to its honourable position in Ontario;

"The social contract in its present form be destroyed and that the valuable programs and services in the public sector be maintained for the betterment of all Ontarians;

"The government withdraw Bill 48, and in place of this bill the government work cooperatively with the public sector unions to find equitable solutions rather than eliminating valuable public sector services."

#### HEALTH CARE

**Mr Frank Miclash (Kenora):** I have a petition that reads:

"To the Legislative Assembly of Ontario:

"Whereas proposals made under the government's expenditure control plan and social contract initiatives regarding health care in the province of Ontario will have a devastating impact on the access to and the delivery of health care; and

"Whereas these proposals will result in a severe reduction in the provision of quality health care services across the province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government of Ontario move immediately to withdraw these proposed measures and reaffirm its commitment to rational reform of Ontario's health care system through its obligations under the 1991 Ontario Medical Association-government framework and economic agreement."

That petition is signed by a number of constituents in my riding.

**Mr Chris Stockwell (Etobicoke West):** I have a petition from the people throughout Etobicoke: Etobicoke-Humber, Etobicoke West, Etobicoke-Lakeshore and Etobicoke-Rexdale, and I will read it:

"To the Legislative Assembly of Ontario:

"Whereas proposals made under the government's expenditure control plan and social contract initiatives regarding health care in the province of Ontario will have a devastating impact on access to and the delivery of health care; and

"Whereas these proposals will result in severe reductions in the provision of quality health care services across the province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government of Ontario move immediately to withdraw these proposed measures and reaffirm its commitment to a rational reform of Ontario's health care system through its obligations under the 1991 Ontario Medical Association-government framework and

economic agreement."

I myself have signed this and wish to turn it in.

#### GO TRANSIT

**Mr Larry O'Connor (Durham-York):** I have a petition that was presented to me last Thursday at the Stouffville Legion from GO bus drivers. A petition to the Legislative Assembly of Ontario:

"Whereas this will be a major inconvenience to non-drivers and will substantially increase the travelling time for all users; and

"Whereas the lack of transit service will increase traffic, thereby increasing air pollution levels at a time when all levels of government are making efforts to reduce pollution and to encourage public transportation systems; and

"Whereas the cuts will leave no alternative means commuting of in or out of Toronto for individuals with flexible working arrangements and child care commitments (the earliest train departs from downtown Toronto at 5:20); and

"Whereas it will have a negative impact on the local economy; and

"Whereas the lack of GO buses will force passengers to incur extra expenses, finding and using alternative forms of transportation;

"We, the undersigned, petition the Legislative Assembly as follows:

"To object to the proposed cuts of GO bus services to Stouffville and Uxbridge, and we demand that the government of Ontario overturn GO Transit's decision, to continue the GO bus service to Stouffville and Uxbridge."

They have offered a lot of alternatives, including a survey, and I hope they will present that. I have signed my name to it.

#### PUBLIC SERVICES

**Mr John C. Cleary (Cornwall):** I have a petition to the Honourable Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario:

"That free and open collective bargaining for public service employees be restored and be returned to its honourable position in Ontario;

"The social contract in its present form be destroyed and that the valuable programs and services in the public sector be maintained for the betterment of all Ontarians;

"The government withdraw Bill 48, and in place of this bill that the government work cooperatively with the public service unions to find an equitable solution rather than eliminating valuable public services."

I have also signed that petition.

### CASINO GAMBLING

**Mr Leo Jordan (Lanark-Renfrew):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the Christian is called to love of neighbour, which includes a concern for the general wellbeing of society; and

"Whereas there is a direct link between the higher availability of legalized gambling and the incidence of addictive gambling; and

"Whereas the damage of addiction to gambling in individuals is compounded by the damage done to families, both emotionally and economically; and

"Whereas the gambling market is already saturated with various kinds of government-operated lotteries; and

"Whereas large-scale gambling activity invariably attracts criminal activity; and

"Whereas the citizens of Detroit have since 1976 on three occasions voted down the introduction of casinos into that city, each time with a larger majority than the time before;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario cease all moves to establish gambling casinos."

I affix my signature.

### PENSION FUNDS

**Mr Bob Huget (Sarnia):** I have a petition signed by 26 members of Local 1802 of the International Brotherhood of Electrical Workers employed by Sarnia Hydro. The petition reads as follows:

"We, the undersigned members of the International Brotherhood of Electrical Workers, strenuously object to the use of our pension fund for the purpose of contributing to the proposed Ontario investment fund. The OIF, if established, would invest pension funds in venture capital high-risk types of investments. Pension moneys should not be used in such a manner and to date the OMERS board has made sound investments which ensure our retirement income and protect our future. That is what a properly run, soundly administered pension fund should do."

I present the petition.

### TECHNICAL FEES

**Mr Frank Miclash (Kenora):** I have another petition presented by a number of residents in the riding of Kenora. It reads:

"As patients and taxpayers requiring radiology, ultrasound and nuclear radiation services, we support radiologists' efforts to provide high-quality care for their patients. Cutbacks in fees will affect the quality of health care we receive, impact the accuracy of diagnosis due to limitations on modern equipment, increase waiting lists and prevent the radiologists and their staffs from providing the services they are trained to do.

Reducing technical fees will have a grave impact on the delivery of high-quality medical imaging. We are deeply concerned that the government is proposing to unilaterally decrease technical fees, which will adversely impact diagnostic imaging, lower the level of health care and impact the quality of diagnosis."

I have attached my name to that as well.

### HEALTH CARE

**Mr Gary Carr (Oakville South):** Constituents from my riding of Oakville South have asked me to table a petition which reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas proposals made under the government's expenditure control plan and social contract initiatives regarding health care in the province of Ontario will have a devastating impact on access to and the delivery of health care; and

"Whereas these proposals will result in a severe reduction in the provision of quality health care services across the province;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to move immediately to withdraw these proposed measures and reaffirm its commitment to rational reform of Ontario's health care system through its obligations under the 1991 Ontario Medical Association-government framework and economic agreement."

### RETAIL STORE HOURS

**Mr Gilles Bisson (Cochrane South):** I have a petition here addressed to the members of the provincial Parliament. The petition reads as follows:

"I, the undersigned, hereby register my opposition to wide-open Sunday business.

"I believe in the need of keeping Sunday as a holiday for family time, quality of life and religious freedom. The elimination of such a day will be detrimental to the fabric of society in Ontario and cause increased hardship on the retailers, retail employees and their families.

"The proposed amendments to the Retail Business Holiday Act of Bill 38, dated June 3, 1992, to delete all Sundays except Easter (51 per year) from the definition of 'legal holiday' and reclassify them as working days should be defeated."

I present the petition on behalf of some 200 signatures.

### CASINO GAMBLING

**Mr Dennis Drainville (Victoria-Haliburton):** "To the Legislative Assembly of Ontario:

"Whereas the Christian is called to love of neighbour, which includes a concern for the general wellbeing of society; and

"Whereas there is a direct link between the higher availability of legalized gambling and the incidence of addictive gambling; and

"Whereas the damage of addiction to gambling in individuals is compounded by the damage done to families, both emotionally and economically; and

"Whereas the gambling market is already saturated with various kinds of government-operated lotteries; and

"Whereas the large-scale gambling activity invariably attracts criminal activity; and

"Whereas the citizens of Detroit have since 1976 on three occasions voted down the introduction of casinos into that city, each time with a larger majority than before;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario cease all moves to establish gambling casinos."

I affix my signature to this very fine petition.

**1510**

### INTRODUCTION OF BILLS

#### EXPENDITURE REDUCTION AND NON-TAX REVENUES STATUTE LAW AMENDMENT ACT, 1993

#### LOI DE 1993 MODIFIANT DES LOIS EN CE QUI CONCERNE LES RÉDUCTIONS DES DÉPENSES ET LES RECETTES NON FISCALES

On motion by Mr Laughren, the following bill was given first reading:

Bill 81, An Act to amend certain Acts to reduce certain Expenditures and to provide for the increase of certain Revenues as referred to in the 1993 Budget / Loi modifiant certaines lois afin de réduire certaines dépenses et de prévoir l'augmentation de certaines recettes comme le prévoit le budget de 1993.

**Hon Floyd Laughren (Minister of Finance):** This bill amends seven statutes in order to implement revenue-raising and expenditure-reducing measures referred to in this year's budget. The acts being amended are: the Corporations Information Act, the Extra-Provincial Corporations Act, the Small Business Development Corporations Act, the Health Insurance Act, the Ontario Drug Benefit Act, the Game and Fish Act and the Public Lands Act.

The requirement for corporations operating in Ontario to file an annual return is being reinstated. The fee payable with the annual return will provide added revenue to the province, and the information from the annual return will provide far more current and up-to-date information on corporations to the public and the government than is now the case.

The program for grants under the Small Business Development Corporations Act will be phased out this year. This measure will save both program and administration costs.

In addition to providing for some administrative matters under the Health Insurance Act, amendments

will provide that entitlement to health insurance coverage is based on residence in Ontario rather than on being the dependent of an insured person. Provision is also made for payment towards the cost of accommodation for treatment for mental disorders in certain hospitals and facilities.

The amendments to the Ontario Drug Benefit Act authorize different dispensing fees for different circumstances. For example, lower fees can be paid to reflect the greater efficiency and economy to an operator of a high volume of prescriptions. Dispensing fees paid by the government will be better able to take account of economies of scale, location and method of operation, and thus reduce cost to government where that is appropriate.

Amendments to the Ontario Drug Benefit Act also permit establishing conditions when a product will be a listed product whose cost will be reimbursed. This provision could reduce costs by requiring, for example, that the price of certain costly products will be reimbursed only if less expensive options had failed or are shown to be likely to fail.

Beginning in 1994 provision is made for a royalty to be paid to the province from commercial fishing.

Finally, the province will raise additional revenues through the amendments to the Public Lands Act authorizing additional charges for the use of our water resources to generate hydro-electric power.

The amendments in this bill play an important part in promoting administrative efficiencies, raising additional revenue and reducing expenditures. They are small but important steps in the government's deficit reduction program, and I believe they merit the support of all members of this House.

#### OWEN SOUND LITTLE THEATRE ACT, 1993

On motion by Mr Murdoch, the following bill was given first reading:

Bill Pr35, An Act to revive Owen Sound Little Theatre.

#### BUDGET STATUTE LAW AMENDMENT ACT, 1993

#### LOI DE 1993 MODIFIANT DES LOIS EN FONCTION DU BUDGET

On motion by Mr Laughren, the following bill was given first reading:

Bill 84, An Act to amend certain Acts to eliminate the Commercial Concentration Tax and reduce certain expenditures as referred to in the 1993 Budget / Loi modifiant certaines lois afin d'éliminer l'impôt sur les concentrations commerciales et de réduire certaines dépenses comme le prévoit le budget de 1993.

**Hon Floyd Laughren (Minister of Finance):** This bill amends several statutes in order to eliminate the commercial concentration tax and implement revenue-raising and expenditure-reducing measures referred to in the budget. The acts being amended are the Legal Aid

Act, the Business Corporations Act, the Corporations Act, the Centennial Centre of Science and Technology Act, the St Lawrence Parks Commission Act, the Commercial Concentration Tax Act and the Employee Share Ownership Plan Act.

Assessment officers under the Legal Aid Act will now be provided by the Ontario legal aid plan. Expenditures of the Ministry of Community and Social Services will be reduced as the cost of assessments for legal aid is assumed by the plan.

The program for grants under the Employee Share Ownership Plan Act will be phased out this year. These measures will save both program and administrative costs.

Changes to the act governing the Ontario Science Centre and the St Lawrence Parks Commission will allow these agencies to set their fees for admission to, and use of, their facilities. The fees will be retained and applied to further the objectives of the agencies and will no longer be required to be paid into the consolidated revenue fund. As a result, the expenditures voted for these agencies will no longer include amounts to replace the fees they collect. Provisions are included in the amendments that require the agencies to provide to treasury board an annual expenditure plan that will be implemented as approved by treasury board.

Finally, the commercial concentration tax on parking lots is eliminated on July 1. The commercial concentration tax on all other property is eliminated at the end of this calendar year.

The several amendments in this bill eliminate the commercial concentration tax and play an important part in promoting administrative efficiencies, raising additional revenue and reducing expenditures. They are small but important steps in the government's deficit reduction program, and I believe they merit the support of all members of this House.

#### PROCEEDS OF CRIME ACT, 1993

#### LOI DE 1993 SUR LES GAINS RÉALISÉS À LA SUITE D'UN ACTE CRIMINEL

On motion by Mr Jackson, the following bill was given first reading:

Bill 85, An Act to prevent unjust enrichment through the Proceeds of Crime / Loi visant à empêcher les personnes de s'enrichir injustement des gains réalisés à la suite d'un acte criminel.

**The Acting Speaker (Mr Noble Villeneuve):** Would the honourable member have some brief remarks?

**Mr Cameron Jackson (Burlington South):** Yes, I would, Mr Speaker. The House would be familiar with the fact that on two occasions I've introduced a victims' bill of rights, and one of the sections within there talks about criminals profiting from their recollections, for selling their stories to newspapers, to television media,

to book publishers, and profiting.

This bill requires that moneys that would be payable to an accused, a convicted or admitted criminal or a member or former member of that person's family for the sale of his or her recollections or for interviews or public appearances instead be paid to the Criminal Injuries Compensation Board and that the board is required to use these funds received to satisfy any judgements obtained by victims of crime in the province of Ontario.

#### 1520

**The Acting Speaker:** Orders of the day.

**Hon Brian A. Charlton (Government House Leader):** Mr Speaker, just before we move to the orders of the day, I believe we, first of all, have agreement to sit till 8:30 this evening.

**The Acting Speaker:** Do we have agreement to sit till 8:30 this evening? Agreed.

**Hon Mr Charlton:** Secondly, I'll be calling the first bill, Bill 8, the casinos act, and then later in the day Bill 50, which is the health expenditure control plan. I believe we have agreement that at 6:15 this evening we will adjourn the casinos act debate and move then to Bill 50.

**The Acting Speaker:** Do we have unanimous agreement to discontinue debate on Bill 8 at 6:15? Agreed.

#### ORDERS OF THE DAY

#### ONTARIO CASINO CORPORATION ACT, 1993

#### LOI DE 1993 SUR LA SOCIÉTÉ DES CASINOS DE L'ONTARIO

Resuming the adjourned debate on the motion for second reading of Bill 8, An Act to provide for the control of casinos through the establishment of the Ontario Casino Corporation and to provide for certain other matters related to casinos / Loi prévoyant la réglementation des casinos par la création de la Société des casinos de l'Ontario et traitant de certaines autres questions relatives aux casinos.

**The Acting Speaker (Mr Noble Villeneuve):** The honourable member for Parry Sound had the floor when last we debated this, and he may resume his participation.

**Mr Ernie L. Eves (Parry Sound):** It is my pleasure to continue on in this debate. We really just started to touch on the subject of referendums and why or why not the government seemed to have a problem with a referendum on the question of casino gambling in the province of Ontario.

I believe I left off last evening by indicating that the minister's response seems to be predicated on the fact that she regards the referendum process as an American process and not applicable in Canada. I reminded her at the very end of the debate last evening, at about 8:30, that indeed her Premier, and I think rightly so, and her

government spent a great deal of time and money last year, many months, with respect to the referendum on the Constitution, which was Canada-wide.

**Hon Howard Hampton (Minister of Natural Resources):** That was Brian's idea.

**Mr Eves:** The Minister of Natural Resources says, "That was Brian's idea." I happen to have been at those meetings, and it was an idea agreed to by all first ministers in this country, including the Premier of this province, and as I said, I think rightly so.

I don't think the fact that in the past American jurisdictions have had referendums more frequently than Canadian jurisdictions precludes any of us in Canadian jurisdictions. In fact, if you listen to what the public is saying and the support that different parties across the country have in different regions of the country, I think the people actually want a change in our political style here in the province of Ontario and indeed in Canada. The public wants to have more direct input into what's going on in society, especially, I think, moral issues that affect them directly, such as this issue of casino gambling.

I indicated in a question to the minister yesterday that in numerous American jurisdictions, including Michigan, Mississippi, Colorado, Connecticut, Indiana, Illinois, Florida, Missouri, New Jersey, North Dakota, Ohio and South Dakota, referendums have been held on this very issue of casino gambling. Some jurisdictions have accepted the idea of casino gambling and some have not, but the important fact is that the people in those jurisdictions have decided, not particular governments, not state governments, not city government. The people have decided.

**Mr Randy R. Hope (Chatham-Kent):** What would happen to stable funding?

**Mr Eves:** The member opposite talks about stable funding. I didn't know that stable funding was a moral issue. If he's listening to what I said, I said on moral issues, which should be non-partisan and non-political, such as, for example, abortion, capital punishment, casino gambling. Those are moral issues on which I think the people have a right to have some input to decide in this country and, in this case, in this province.

*Interjection.*

**The Acting Speaker:** Order, please. The member for Parry Sound has the floor. Please allow him to continue. If other honourable members want to participate, they will have the opportunity.

**Mr Eves:** I didn't think I was being very provocative at all, but it's hot and it's late in July and maybe these members have to have something to talk about, so they're getting a little concerned.

The minister also mentioned yesterday that I didn't say anything about casino gambling in Manitoba, I didn't say anything about casino gambling in British

Columbia, I didn't say anything about casino gambling in Quebec. Well, that's true. There are, however, some differences in some of those jurisdictions, perhaps not the province of Quebec: They're not up and running yet; I understand they're going to be operational later this year.

But let's take Manitoba for an example, one of the ones the minister wanted me to look at. The minister will know that the casino in the Hotel Fort Garry in Winnipeg is owned and operated by the Manitoba Lotteries Foundation, not by some private enterprise. All moneys are directed to the health care system and very specifically directed to the health services development fund. The minister will also know that two years of research was done by the Manitoba government before it even thought about introducing a casino into the Hotel Fort Garry that is owned and operated and run by the province.

The province of Ontario is not going to own and operate its casino; it's not going to be owned by the province of Ontario. They're seeking proposals from numerous large corporate entities that are, in a very big way and a very real way, involved in casinos in other places in the world. She will also know that the Ontario casino is not going to specifically earmark its funds for a charitable purpose for the health care system, as is done in the province of Manitoba.

Also look at the attendance, if you want to compare the size of those two entities. The casino in Manitoba has about 400,000 visitors a year. It is anticipated by the ministry's own documentation and by the city of Windsor that the Windsor casino will handle anywhere from 12,000 to 20,000 patrons a day, which even at the bottom figure is 4,380,000 a year; a little bit different operation, I would suggest to you, from what is being proposed here, different from the one that is operational in the province of Manitoba.

British Columbia was another jurisdiction the minister indicated some interest in. British Columbia has established a system of charitably run casinos. This was the result of a 1987 task force which reorganized the regulation of gambling in the province, giving the province greater control and ensuring that casinos may only be operated for the benefit of recognized charities.

There again, that is totally different from what is being proposed for this jurisdiction here in the province of Ontario. It's like, as I think the member for Brampton North said yesterday, comparing apples to oranges. They are totally different entities.

I'm not saying I'm against them. All I am suggesting to the minister is to let the people decide. That is the only point I'm making in this entire discussion about referendums and whether or not we should have casino gambling in the province of Ontario.

**Mr Chris Stockwell (Etobicoke West):** On a point

of order, Mr Speaker: A quorum call, please.

**The Acting Speaker:** Would the Clerk check to see if we have a quorum.

**Senior Clerk Assistant and Clerk of Journals (Mr Alex D. McFedries):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**The Acting Speaker:** A quorum is now present. The honourable member for Parry Sound may resume his participation in the debate.

*Interjection.*

**Mr Eves:** It wasn't my fault.

The last issue I want to touch on in this portion of my discussion is Bill 8 itself. I don't think that we've spent very much time—and I'm sure in committee we will be debating the particulars of Bill 8.

**1530**

There is one aspect of Bill 8 that is kind of troubling, however, and that is that there will be a Gaming Control Hearings Panel established under the bill. This panel will be a panel under the auspices of the Commercial Registration Appeal Tribunal, and I understand the need for such a panel, I'm not debating nor disputing that fact.

The interesting thing I do find about this particular panel, though, is that there will be no appeal from a decision of this panel, unlike other panels of the same tribunal. I don't know exactly all the panels, but I'm assuming there's one in the trucking industry, for example. Every other panel in this commission has the ability to appeal a decision that it doesn't like to Divisional Court, if I'm not mistaken, but this panel will not be appealable from. That is my understanding of the legislation. If that indeed is the case, I think it is an issue that bears looking at by us in committee, and I'm saying that in a constructive sense to the minister, not a critical sense.

The next issue I want to touch on very briefly is the issue of experience. I take some of the comments that the minister has said quite seriously. I would agree that no two situations are exactly the same. Atlantic City is not the same as Ontario or Windsor; just like Manitoba is not the same as Ontario or Windsor; just like British Columbia is not the same. I think you have to deal with each situation on its merits.

My point about raising some of these issues in the Legislature is not that I don't want to see a casino in Windsor, is not that I don't want to see casino gambling. I do want to make sure, however, that we in this jurisdiction avoid some of the pitfalls that some of the other jurisdictions have fallen into, and Atlantic City, of course, is the most obvious one, so I guess it's the easiest one to refer to.

Infrastructure: If you talk to the city council—

**Mr Anthony Perruzza (Downsview):** How are you going to vote?

**Mr Eves:** We'll get to that. You're going to get to see how I vote on this issue as you're going to get to see how every other member of the Legislature votes on this issue.

**Mr Perruzza:** Give us a sneak preview.

**Mr Eves:** Listen for the next hour and nine minutes and 20 seconds and you might find out.

Developing the downtown: There are numerous quotes which I will come to in a few minutes, and I won't read them all, but suffice it to say that the downtown business core in Atlantic City—the merchants' association and various other associations would now admit that they made a mistake, that the jurisdiction made a mistake when it introduced casino gambling.

They did not put the proper infrastructure in place. They did not do their homework before they introduced casinos. They introduced casinos and then tried to deal with the problems that they created, the fallout later on, and that led to horrendous problems in Atlantic City and problems for which they're still paying. Just one of the issues that I think we have to look at when we're talking about this issue is the infrastructure that we are putting in place to make sure that doesn't happen in the Windsor experience.

I've raised a few other issues from time to time during question period and in members' statements as well. One big issue that I'll touch more on later as well is the issue of money laundering. Because we have not had a history of casinos, or our history of casinos in Canada, in Canadian jurisdictions, is very short on a comparative basis to the United States of America and other places, we don't seem to have in place any revenue measures or laws that go out of their way to prevent money laundering.

Money laundering is a very big issue anywhere you have a casino, because it is quite simple for people who have obtained moneys by less than lawful means to use casinos as a laundering process. As a result, in the United States of America, for example, the Internal Revenue Service has developed rules and regulations and laws that require that any time there is a cash transaction in excess of \$10,000, that must be reported to the Internal Revenue Service and the casino where the deposit is being made is required to fill out a form and file that form with all the particulars immediately.

That is lacking, as far as I can see, in the province of Ontario. In fact, it's lacking in Canada, period. I'm not suggesting that it is solely the province of Ontario's problem, but I would submit to the minister that I think that issue bears substantial consideration before the Windsor casino project proceeds.

Hopefully, the federal government will see its way

clear, with your prodding, I hope, to do something about that issue. But if it doesn't, I would submit to the minister, I would ask that the province of Ontario seriously consider a similar reporting requirement by provincial law if the federal government indeed is not willing to cooperate on a national basis, which is how I would prefer that the matter be dealt with.

There's the issue of increased crime. We'll get to that in a minute; I have a file on it as well. But as I've pointed out at various times, and other members have as well, there are, unfortunately, some side-effects that go hand in hand with casino gambling in whatever jurisdiction it has ever been introduced in. Money laundering is one, and increased petty crimes of all kinds. I note that there are 10 or 12 casinos in Atlantic City, and so it's a larger problem, but the crime rate there went up 171% over the first three years casinos were in place in Atlantic City.

As Donald Trump himself says, with casino gambling come some not-so-nice aspects. Sure the income comes, the money comes, but there are some side-effects that aren't so wonderful: drug trafficking, increased petty crimes of all kinds, increased prostitution, policing costs, policing needs, societal costs, gambling addiction. What's the effect or fallout going to be on charitable organizations, in this case particularly, in the Windsor area? What's the fallout going to be on the horse racing industry in the province of Ontario, but then again in particular on Windsor Raceway?

I think we have to have a game plan with respect to all of these aspects before we jump into the casino gambling game, so to speak. Another thing that concerns me is that I don't know why we are rushing headlong into an interim casino without having done all these things. I mean, the mayor of Windsor has said, and I take him at his word, that the infrastructure will be in place by the time we have a permanent casino up and running in two years' time. Fine. What about the interim casino? Are all these measures going to be taken care of before the interim casino is up and running in the city of Windsor? I would think that's a serious question that perhaps we should be asking ourselves.

On gambling in general, I heard a couple of comments yesterday. I think it was the member for Cochrane South who alluded to the fact that these people are going to gamble anyway, so why not have a casino? That may well be true. They are going to gamble anyway. They gamble in forms of lottery. They gamble in forms of horse racing industry now.

There are only so many gambling dollars, like shopping dollars, to go around, though. I think the impact or the fallout that you might find on some of the established, for example, the horse racing industry and agriculture in the province of Ontario, the fallout that you're going to find on charitable organizations perhaps is going to be a little bit greater than you think it might be.

Governments of all political stripes in all provinces in Canada, and indeed in the United States as well, seem to be becoming more and more addicted themselves to the revenue that's obtained from gambling; Nova Scotia, for example, with respect to its video machines. We have seen recently, in the last few months, where the province of Nova Scotia indeed has pulled the plug, I believe, on some 2,500 video slot machines. They said that they were too easily accessible and they said that they had quite a few instances of people becoming addicted to them. That's a whole other issue I will deal with in due course.

1540

I'd also like to say to the minister that it would be helpful if we could obtain copies of the three studies that are being done with respect to casino gambling, or have been done in two cases, I believe, and perhaps is still being done in the third case.

I do understand, from talking to her House leader earlier, that we are going to be shortly getting the Ernst and Young study of the social impact of the casino on Windsor, and hopefully we will get that later today, but we have been asking for some months now for the report of the Windsor Police Services Board. I first raised this issue in the Legislature back in May, I believe it was.

We've talked to several members of the police services board in Windsor, and they indicate that the ministry has been in possession of this report since about January of this year. They indicate that they would like to release the report themselves but have been instructed by officials in the Ministry of Consumer and Commercial Relations not to release the report. They indicated in May that the ministry's wish was that it not be released before June 30. We are now at July 27 and we still haven't received a copy of the report.

One can't help but wonder if the date that's being chosen here just doesn't happen to coincide with the adjournment of the Legislature. I'm sure that's far too cynical. I'm sure that couldn't possibly be the reason. But it is kind of strange that it was June 30 and now it's almost July 31 and we still don't have a copy of this report. But I'd almost be willing to bet that if we adjourned this Thursday, next week somehow that report would find its way into our hands mysteriously.

**Hon Frances Lankin (Minister of Economic Development and Trade):** I can see how you would say that, but it's much too cynical.

**Mr Eves:** It is much too cynical.

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** Far too cynical.

**Mr Eves:** Well, then, I presume we'll be receiving it this afternoon.

The other report, I understand, is the Coopers and Lybrand study. There seems to be some debate as to

whether or not that report in its draft form or some other form has been made available to officials in the ministry and whether or not that will be forthcoming soon, and hopefully it will be.

I noted yesterday—and despite the fact that I wasn't here while the minister was delivering her remarks, I do want her to know that I watched her on television in my office as I was doing some other business and listened quite attentively to what she was saying.

**Mr Len Wood (Cochrane North):** Did she convince you?

**Mr Eves:** She doesn't need to convince me. I just want to make a few points with respect to some of the things she said.

She indicated that, well, the horse racing industry was concerned and that there were other competing factors that put some pressure on the horse racing industry in the province of Ontario. Two examples she cited were the Toronto Blue Jays baseball team and the success of the Toronto Maple Leafs hockey team and that that was putting some immense pressure on—

**Mr Wood:** What about the Argonauts?

**Mr Eves:** Well, the Argonauts don't put pressure on anybody these days, including their opponents.

**Mr Gary Wilson (Kingston and The Islands):** The shareholders maybe.

**Mr Eves:** Yes, the shareholders. I'm sure they put a lot of pressure on them.

The difference, I would say to the minister with all due respect, is that those two entities are not government-sponsored entities. They're not being paid for by taxpayers' dollars or government money. They are indeed private industry, and I think the horse racing industry expects that competition from private industry.

But there is going to be a very real effect, I believe, on the horse racing industry in the province of Ontario. It has happened in every other jurisdiction where they've introduced casino gambling and had a viable horse racing industry, and there's no reason to believe it will be any different here in the province of Ontario.

Going back to the issue of infrastructure, I would like to deal with a couple of these quotes from the Atlantic City Merchants' Association:

"The right way to do it"—that is, to introduce casino gambling—"is to revitalize the downtown first. That way you already have something that can induce people to come out of casinos."

I think that whether you have 10 or 12 or one, that's pretty viable advice. I think it's advice well taken, and although the mayor and the city council and the minister on occasion have assured us that that is being done with respect to the city of Windsor example, is it going to be in place before the interim casino site opens?

Again I come back to my question, why the rush to

introduce the interim casino without doing our homework and taking care of these issues I've raised—and I'm sure there's more that others have raised—without making sure that the proper infrastructure, not only capital infrastructure but societal infrastructure, is in place as well before we get on the casino gambling industry in the province of Ontario?

Thomas Carver, the president of the Casino Association of New Jersey, had this observation. Interestingly, it's a similar observation to that of Mr Rae before he was the Premier of the province, and that is:

"It's human greed and public greed basically," Carver said. "The real problem is that the government can get so greedy and want so much. I see this repeated over and over again. They see something coming in and they think it's the gravy train, and they assume they'll be able to be a part of it, a result of which becomes milking it for all you can milk it for."

I don't think this is the goose that lays golden eggs. I know that the mayor of Windsor believes that he is not treating it that way, that he is treating it as a way to diversify the economy of the city of Windsor. I respect that, but I'm not so sure the public sees it that way, I'm not so sure the public understands that this is not going to be the be-all and the end-all to the economic problems of the city of Windsor or any other community in the province of Ontario. I think we have to approach this, as I keep on repeating, in a very orderly, prepared fashion or we're going to regret the day we rushed in perhaps before we should have.

Speaking of the interim site, I want to put on the record concerns that I have raised before about the process with respect to the interim site. Firstly, I have several quotes here, which I will come to in a minute, under the police section of my discussion. I believe I'm correct in saying—I'm not quoting the Windsor police chief verbatim—that he didn't see any need to rush into an interim casino site. I believe I even have a quote here from Mayor Hurst himself saying that several months ago, back in January or February of this year. I say again, why the rush?

There were, as I understand it, three basic sites that were being considered for the interim casino in the city of Windsor. Eventually, the government made a political decision that it wanted to locate the site for the interim casino at the art gallery in the city of Windsor, which is a downtown site. That's what one of the purposes of the casino is: to help the downtown core in the city of Windsor.

I quote the ADM, Domenic Alfieri, who is in charge of the casino project team: "It's regrettable it had to happen," and, "These things are not done lightly and one can appreciate why [the losing bidders] are seething. But what I would say to them is, 'Take comfort in the fact that it has never happened before and it is very likely never going to happen again.'"

Then we went on and visited this issue previously with respect to the fact that the ministry has indicated to the two losing bidders that it would—it hasn't said that it would do it, but it has indicated it, as I understand it—"consider a reasonable request from you for compensation for your actual expenses." That is a quote that comes from a letter, as I understand it, to the losing bidders.

I think it is of some note that the government is proceeding rather rapidly with respect to an interim casino site. I don't see the need. I don't know why we are rushing into an interim casino site before we have some of these difficulties ironed out. We certainly have a problem with the process as to how the interim site was chosen.

If the government had decided that it was going to, for whatever reasons, its own reasons, locate the interim site downtown, fair enough, but I think it would have been fair and equitable to indicate that ahead of time to the bidders that submitted bids, especially the one from Windsor Raceway, well out of the downtown core in the city of Windsor. What you have is an entity that spent, I believe, somewhere in the neighbourhood of \$200,000 putting together a proposal which, as it turned out in the end, had absolutely no chance of success or succeeding.

**1550**

Another issue that I would like to touch on briefly with respect to casino gambling in the city of Windsor and proposals are the numerous groups that paid their deposit and therefore requested the information that was required to submit a proposal, one of which, of course, was Sun International, which operates a resort, Sun City, in South Africa.

This was an issue of some concern, not only raised by myself but I believe by other members of the Legislature as well over a period of a few days or a couple of weeks. The minister seemed to be intent on saying that because they didn't make it to the short list and fell off the list, or chose, by their description, to no longer proceed of their own free will and volition for business reasons, not for political reasons—she seems to think that there was nothing wrong with the fact that officials in her ministry indeed were discussing the possibility of Sun City filing a proposal, that there was nothing wrong with them seeking information.

In fact, the officials at Sun City whom we talked to indicated that they were totally unaware of the Ontario government's policy of not dealing with South African companies until we told them that in a telephone conversation. I'm just telling the minister that's exactly what the chief financial officer of Sun International told us on the telephone: that at no time was he told by officials of the ministry that they could not deal with him. He told us that he decided his company was not going to proceed because they currently were proceeding with proposals or bids on casinos in Athens and

Amsterdam and just didn't feel that it could do Windsor at the same time, and that this was the reason why they withdrew.

**Hon Ms Churley:** That's not the way it happened.

**Mr Eves:** Well, the minister says, "That's not the way it happened." Obviously, she has been told by officials in her ministry that this is not the case. This gentleman says that is the case. Obviously, they're not on the same wavelength and they don't have the same recollection.

I want to deal a little bit with the effect on the horse racing industry and with the effect that casino gambling will have on charitable organizations in the province of Ontario, in particular in the Windsor area. As I have stated, I believe there are only so many gambling dollars to go around, just like there are only so many shopping dollars to go around. People are going to spend them somewhere and they're going to make a decision as to how they're going to spend them.

The reality is that if residents in the city of Windsor decide they're going to spend their gambling dollars primarily in a casino, then they are not going to be spending them in charitable casinos and they're not going to be spending them with charitable organizations in the Windsor area. They are also not going to be spending them at Windsor Raceway, which I understand has been in financial difficulty prior to this even being discussed and is going to be in great financial difficulty, perhaps out of business, if the casino project in Windsor proceeds.

That is a decision the government has to assume some responsibility for, because I don't think it's going into this totally blind with respect to the impact that it will have on the horse racing industry either province-wide or, in particular, in the city of Windsor proper.

**Mr Hope:** Stuck for comments?

**Mr Eves:** Stuck for comments? No, I don't think so. I've got about three more files here.

**Mr Wood:** You got one guy supporting you sitting back in the corner, Ernie.

**Mr Eves:** Oh, good. The honourable member for Victoria-Haliburton. I've got a file on him too, a lot of quotes from Dennis in here somewhere.

I'm sure the minister has a copy of this. The Coalition Against Casino Gambling in the Province of Ontario, in part supported by the horse racing industry and various aspects of the horse racing industry, has presented a brief, and I'm sure she has this brief in her possession.

They estimate that there are somewhere in the neighbourhood of 50,000 jobs directly or indirectly created by the horse racing industry in the province of Ontario. Their estimate is also that somewhere in the neighbourhood of 9,500 to 18,500 of those jobs will be lost if the casino gambling industry, and I might add

this "if," is in place in the province of Ontario.

I'm not suggesting that just the Windsor casino would have that impact on the horse racing industry, and I don't think they are either, to be fair to them. There are however, as I understand it, in the neighbourhood of some 500 people or persons who are directly employed by Windsor Raceway, which is directly in the Windsor area. I think it's safe to say that if Windsor Raceway closes, those 500 people are going to be out of work in the Windsor area as a result of casino gambling being introduced.

By the way, before I leave that particular point, those figures aren't just taken out of the air. They are figures that are based on practical experiences in other jurisdictions that have had a viable horse racing industry before casino gambling was introduced.

I think it's fair to say that the general effect has been, in very rounded-off terms, that about a third of the betting handle is lost at racetracks in jurisdictions that introduce casino gambling into their jurisdiction. There is no reason to believe that this experience will be any different here in the province of Ontario if indeed we go ahead on a more widespread basis with casino gambling throughout the province of Ontario. I don't think there's any doubt that it will have a very direct and adversarial impact on Windsor Raceway as a direct result of introducing a casino into the Windsor area.

What about the charitable organizations that have a stake in this, especially in the Windsor area? I asked the minister on one occasion if she would be interested in diverting some funds raised by casino gambling in the city of Windsor to the horse racing industry in the city, to charitable organizations in the city. I believe, and I'm sure the minister will correct me if I'm wrong, that she unequivocally stated that no, she was not interested in diverting any funds to those charitable organizations or to Windsor Raceway, or to the horse racing industry for that matter, out of the money the province would make or indeed the operator would make with respect to introducing casino gambling in the city of Windsor.

I again would ask her to reconsider that. I would think that of the proposals that are being submitted by various companies and entities, maybe she would want to look at insisting that they include in their proposals some way of assisting those organizations that are going to have a very adverse impact as a result of introducing this into the community in the Windsor area. I think the experience is going to show that especially charitable organizations are going to be very hard hit indeed, and I think experience will show that in a few months or a year after the casino opens, there won't be a Windsor Raceway operating in the Windsor area.

I also noted with some interest a press release that came across our desks yesterday with respect to the minister announcing new charitable gaming policies for the province of Ontario. These go into effect on August

1, which of course is next week. The government is now, by these new rules, going to regulate the issue of Monte Carlo licences more closely, monitor the growth of activities and help maximize the profits, so it says, for charitable organizations, but it's becoming more restrictive as to what these charitable organizations can do, or these charitable casinos or casino charity—charity casinos is I guess how they really describe themselves—throughout most of the province of Ontario.

I'm a little concerned here again if the province isn't getting into direct competition, by opening a casino and maybe more casinos in the weeks and months and years to come, with these charitable organizations that have sought this out as a source of revenue. One might wonder if the ministry is now trying to make it more restrictive for charitable organizations to operate such charitable casinos because it doesn't want the competition for its own casino. I think it's going to impact very directly on a lot of these organizations that do some very good work throughout the province of Ontario, and I'm sure they do very good work in the Windsor area as well.

#### 1600

Crime and policing, I think, is a really big issue with respect to casino gambling wherever it is. I noted yesterday that the minister indicated, I believe it was in response to the member for Brampton North—is that correct?—about consultation with the RCMP and the OPP.

I don't doubt for a moment that the province of Ontario and the ministry have had consultation with the RCMP and the OPP, but I don't believe the consultation was in the form of a question: "Do you want us to introduce casino gambling into the city of Windsor?" I believe the consultation probably went more like: "We're introducing casino gambling into the city of Windsor. Now can we sit down and talk about how we're going to deal with the problems that we're going to create for you people by introducing it here in the first place?"

I would be very surprised if the RCMP and the OPP rubbed their hands with glee and said: "Oh goody, goody, you're going to introduce casino gambling into the province of Ontario. We can hardly wait for all the social ramifications that you're going to bring upon us."

**Mr Hope:** You never know. Some may want to go there.

**Mr Eves:** You never know? Are you suggesting that the RCMP and the OPP would be in favour of introducing casino gambling into the province? I would suggest that they probably would not.

**Mr Hope:** Do they take vacations in Las Vegas and other places to go gambling?

**Mr Eves:** I would think that would be the farthest thing from their desires: to introduce not just casino

gambling but all the other problems we've alluded to that go hand-in-hand with it.

I've already touched on the issue and I won't go through it again at any length with respect to the Windsor Police Services Board report except to say that I certainly hope we receive that report before the House adjourns; that means, ie, today, tomorrow, Thursday at the very latest.

**Hon Ms Churley:** It's their report.

**Mr Eves:** The minister comments that it's their report. They seem to be under the impression, from at least one member of the board whom I spoke to, that they are not at liberty, under the direction of the Ministry of Consumer and Commercial Relations, to release the report until the ministry says they can. So I guess it's back to you, Minister.

I'm now looking at an article in the Windsor Star on March 31 of this year: "Windsor police won't be ready for a temporary casino, Chief Jim Adkin said Tuesday," and he goes on to explain why he wouldn't be ready. He goes on to explain the problems that it's going to create, that it won't be big enough to accommodate all the people who want to get in etc. Again, I think that underscores the point I made, that I don't know why we are rushing headlong into the idea of an interim casino before we have ironed out the problems of money laundering, increased crime, societal costs.

Do we have programs in place for gambling addiction? As I understand it, there isn't one single program anywhere in the country of Canada for gambling addiction, and that currently people who have to be treated for that addiction—like any other addiction for which treatment is required—have to go to the United States to get treatment, and that treatment is anywhere from \$15,000 to \$20,000 per person.

Are we going to ensure, when we set up this interim casino—and the permanent casino, for that matter—in the city of Windsor that sufficient funds out of the proceeds are going to be set aside to deal with the societal problem we are going to help create by placing casino gambling within our jurisdiction? It is going to happen. It's happened everywhere else that they have casino gambling and it's going to happen here, and I think it's an interesting and a very serious problem.

The province of Nova Scotia—I was listening to CBC Newsworld about a week ago—has alluded to this problem, the great cost it's placing on its provincial health care plan because it has to send the gambling addicts it has created to the United States for treatment. Are we going to do the same thing here in the province of Ontario?

I think we, as government, have to assume responsibility for that. If we're going to introduce this into the province, I think we have to be responsible and recognize the fact that the reality is that there are going

to be people who will become gambling addicts as a result of the casino, and we're going to have to deal with their problems in a very real and direct way and have programs in place before or at the same time as the casino is up and running.

Organized crime: I haven't got into that in a great way. I will touch on it briefly. I note that the minister has been quoted on several occasions, and here is one quote from the Windsor Star of June 25 of this year, a quote from the minister: "'I categorically say we don't want anybody involved with the casino who has broken the law,' she said. 'I have said I want it to be squeaky clean and we don't want anybody who has broken the law involved in our casino.'"

I believe that came as a result of a question I and perhaps others asked in the Legislature about an article in Eye magazine listing 10 casinos in Atlantic City that have contravened the regulation of the IRS that I alluded to earlier to prevent money laundering through casinos in the United States of America. The IRS found 11,829 instances of failure to file cash reporting forms by 10 Atlantic City casinos. The fine for each count is \$25,000, but the casinos were levied penalties totalling only \$2.48 million.

The interesting point of the article, I found and I believe others found as well, was that of those 10, five then, and I believe now four, are on the list for obtaining proposal information and supposedly submitting proposals to the Ontario government to operate the casino in the city of Windsor. I would remind the minister again of her words that she wants to keep the operation here "squeaky clean," as she describes it. I think that we need not only a similar law or penalty as they have in the United States with respect to money laundering, but I also think we might want to pay some attention to those we are dealing with and what their past track record has been in other jurisdictions.

The cost of policing: I believe, and again I'm sure the minister will correct me if I'm wrong, that she has stated that they are now saying to the city of Windsor police department that they are going to provide them with 10 additional officers. I believe also, somewhere in here—I can't find the quote right at the tip of my fingers, but I'm sure I could if I looked hard enough—that the chief of police was quoted somewhere as saying he needs a minimum of 20.

Some of these concerns would be greatly addressed if we could indeed get a copy of the Windsor Police Services Board report so we don't have to talk in abstract about the issue we're dealing with here and we could talk about some concrete findings and proposals that the report came up with. Hopefully we can, in the not-too-distant future, also get to look at the Coopers and Lybrand report, as well as the Ernst and Young one, which I hope is forthcoming.

New Orleans: New Orleans is estimating that for its

100,000-square-foot casino, the cost of policing, because of increased crime, will be anywhere from a low estimate of \$2.5 million a year to a high estimate of some \$5 million. I just want to leave the minister with those figures, because I think we can expect some sort of similar experience—I'm not saying exactly the same, but some sort of similar experience—in the city of Windsor.

We have Donald Trump's quotes here. We've read them out before and I don't see the need for reading them out ad nauseam again. But he's somebody who's been in that business for a long time, certainly has a great deal of experience, certainly recognizes the fact that with the good things about casino gambling, ie, cash flow and money, also come a lot of societal costs, as we've been alluding to; also comes increased crime; also come things that perhaps were not in the community or the jurisdiction into which you are introducing casino gambling before casino gambling was there.

**1610**

I think that we, as government, have to be responsible to our fellow citizens. Not all of us, not all the public agree that casino gambling is a good thing. I know there is a very vocal opposition to casino gambling in Windsor because I've heard from it, and I'm sure the minister has as well. I'm sure that as we have public hearings around the province we will hear more and more, not only in the city of Windsor but in other communities as well, their opposition and reasons for opposition to introducing casino gambling into the province of Ontario. If you decide to proceed in any event, the very least we should do as responsible government is to take care of the problems we are helping to create by introducing this into our jurisdiction.

I'm sure the minister is more than aware of the series of articles that appeared in the Toronto Star.

**Hon Ms Churley:** You mean that old rehashed stuff?

**Mr Eves:** She says "old rehashed stuff." Maybe it is, but they also are very real concerns and problems that other jurisdictions have experienced and that she's going to perhaps have to deal with here in the province of Ontario.

This article points out that it isn't the direct involvement of organized crime in the operation of casinos that most jurisdictions have found to be the problem. The problem is, to quote this article, that "even if casino ownership is beyond reproach, criminals can flex their muscles through hotel unions, food and laundry suppliers and the supply and servicing of vending and gambling machines."

The article goes on and on. I believe the member for St Catharines has alluded to this article on numerous occasions, and I don't think we should be living in a

fairytales world where we believe for one instant that these situations might not also be a problem in our jurisdiction here in the province of Ontario.

The member for Brampton North said yesterday and on a few occasions, if I can remember his words correctly, that another aspect of this, which perhaps the ministry has thought through and perhaps it has not, is that if indeed we introduce a casino into the community of the city of Windsor, how long do you think it will be before that monopoly, so to speak, ends, and the city of Detroit or the state of Michigan introduces its own casino into what I would suspect is a very large portion of the market that the minister or her ministry hopes to tap into?

We've seen this happen with Windsor Raceway, for example. I can recall that when Windsor Raceway was first opened, it was a unique thing; that there were literally hundreds, if not thousands, of visitors who came over from the US every night to visit Windsor Raceway. But it wasn't too many years until the city of Detroit developed its own Standardbred or harness racing track and the city of Windsor's Windsor Raceway attendance figures and hence profitability started to decline.

I think it's a very real possibility that a similar situation may well occur here with respect to casino gambling in the city of Windsor and in the city of Detroit, and I think the ministry and the government should be thinking about that. While they may have a monopoly in the first instance, they may well not two or three or four or five years down the road, and then how viable will the casino in the city of Windsor be?

Here's an interesting quote from a 1984 Solicitor General's report on legalized gambling, a quote from the Honourable Howard Hampton, which I'm sure the minister is quite aware of, which says, just to show that there are members on all sides of the House in all three political parties with concerns about casino gambling being introduced into our jurisdiction:

"Wherever casinos are found, they are inseparable from organized criminal activities. If a jurisdiction is not willing to accept this involvement, it should not get involved in legalized gaming."

That's what the former Attorney General, now Minister of Natural Resources, thought about introducing casino gambling into jurisdictions in 1984. This being 1993, perhaps he's changed his mind, I don't know.

Michael Pollock of New Jersey's Casino Control Commission states:

"Three years after Atlantic City's casinos opened, calls for police help increased by some 2,000%. Amongst the crimes that increased most dramatically were larceny, theft, aggravated assault, drug sales and political corruption. Activities associated with organized

crime like loan-sharking, bookmaking, prostitution, open drug trafficking, labour union extortions and shootouts between rival gangs also increased dramatically."

Not surprisingly, Atlantic City is now listed last among US cities in Money magazine's rating of places to live—last in the entire United States of America. I think that is what casino gambling can do to a community if it isn't properly introduced and taken care of beforehand.

**Mr Jim Wiseman (Durham West):** It was second last before the casino. If there's a place lower than last, that's where it would be now.

**Mr Bob Huget (Sarnia):** Skyrocketing along.

**Mr Eves:** Skyrocketing along? Are you in a hurry? Are we going somewhere?

**Mr Hope:** No, but you're putting us to sleep, Ernie.

**Mr Dennis Drainville (Victoria-Haliburton):** He's doing a good job. This is good information, if you listen to it.

**Mr Eves:** All I'm trying to do, really, is to make—

**Mr Wiseman:** Trying to talk out the clock.

**Mr Eves:** No, I'm not trying to talk out the clock. I'm not going to use my whole time. I don't believe that because you have 90 minutes you have to use it.

But I do want to point out that there are some very serious concerns that a number of people have, and if they're not properly addressed, we're going to be here dealing with these concerns for many, many years to come and we are going to inflict upon some unsuspecting citizens of our province something that perhaps I'm sure we don't intend on inflicting on them. If we don't do this properly, with our act together, so to speak, and do our homework, I think we're going to live to regret it.

I alluded to comments by Mr Trump earlier, and I really have to say that I think some of his comments sum it up very well:

"Gaming doesn't come cheap and I have to agree with a lot of the critics on that. It brings crime. It brings prostitution. It brings a lot of things that maybe areas didn't have before. It brings money, but also the money is dissipated because maybe you're going to have to pay your school teachers more because otherwise you're going to lose your school teachers. They're going to be working in casino as croupiers. There's a big cost to pay."

"I mean most jurisdictions have considered gaming and most jurisdictions, even though right now it seems to be the craze, but most jurisdictions have rejected it. And the ones that have accepted it, many of them, if you gave them their choice again, they would have turned it down."

Who better to talk about casino gambling than somebody who makes a great deal of his income from

casino gambling? Those are his objective observations as to what casino gambling can do for a community or for a jurisdiction. Money comes with it, but a great deal of problems and societal costs come with it as well.

I would just simply urge members on all sides of this House and in all three political parties to consider whether they think the price that the community and the jurisdiction and the public will have to pay is worth it or not and whether the public perhaps should not ultimately be the ones to decide whether this is introduced into their jurisdiction or not.

#### 1620

I note with some interest that over the past few days and weeks there have been no less than 178 petitions introduced and tabled in the Ontario Legislature this session alone, thousands of signatures against the introduction of casino gambling into the province of Ontario.

I come back to the premise upon which I started my remarks last evening. Surely this is an issue where the people of this jurisdiction should be given the right to decide whether or not they want casino gambling introduced into the province of Ontario. I don't know why the government wouldn't consider that.

I don't see any need to rush headlong into an interim casino. I don't think we've properly prepared unless there's a lot more preparation being done than I'm aware of, and perhaps we'll find that out in committee. I don't think we're prepared to proceed with an interim casino. If we're not prepared to proceed with a permanent casino, we're not prepared to proceed with an interim casino either, because they bring the same types of pitfalls and problems. Just because one's permanent and one's interim there isn't any magic that excludes crime, increased policing costs and all the other societal problems that come with them.

I'm going to conclude my remarks by again asking the minister if she seriously would not consider putting this out to some sort of referendum so that the public of Ontario can decide whether indeed they want casino gambling introduced into their jurisdiction.

I have some 20 minutes left, and in an effort to perhaps save time I would ask that the member for Victoria-Haliburton be allowed to use my 20 minutes in addition to his time, because I know he has a lot of things he would like to get on the record. I could stand here and talk for another 20 minutes, but I think perhaps he should avail himself of this opportunity.

**The Acting Speaker:** It has been suggested by the member for Parry Sound that the member for Victoria-Haliburton use the rest of his time. Do we have unanimous consent of the House? Agreed. Questions or comments on the member for Parry Sound's participation. The honourable member for Sarnia.

**Mr Huget:** I listened very carefully to the member

for Parry Sound's comments, particularly around the issue of a referendum as it concerns the gambling issue. I note with interest that the Ontario Lottery Corp, which was put in place during the member for Parry Sound's government's term of office in the province of Ontario, was done so without a referendum. So I find it passing strange that there is a concern from that member now about a referendum on this issue when in fact the Ontario Lottery Corp is a creation of the Conservative government of the day and there certainly was no referendum when that corporation was created.

Secondly, I think for anyone to stand in the House, certainly from my perspective, and pretend for a moment that a gambling casino is the economic salvation of the province of Ontario, or any community for that matter, is a little naïve. I think it is part of a perhaps more palatable economic situation in our province and in those communities that choose—and I have to stress "choose"—to have a casino in their community.

The residents of Windsor and everyone from the mayor to the man on the street looks at this as an economic opportunity. I can't speak for the people of Windsor, but it's certainly been my impression in listening to people from Windsor that they don't expect this to be the sole economic activity of their community, but they do expect it to help.

Windsor is one among many communities in Ontario that have been ravaged by the recession and the free trade agreement as it impacted on the auto industry and others. Certainly, there's a need to stimulate economic activity not only in Ontario but of course in Windsor.

I think that, provided communities choose this alternative and it's not forced on them, it is in their interest that they act. I leave it to their judgement in terms of determining whether it's something their community wants. Certainly in this case the elected officials of that community want it.

**Mr Carman McClelland (Brampton North):** I just want to make one or two comments on my friend's response. I think it's important to note that many people from Windsor who initially were very, very supportive of the concept have now had second thoughts and grave reservations, given an opportunity to review the plans of the current government with respect to the project under the terms of Bill 8.

I hasten to add that our party position has been and remains that we don't have particularly a problem per se with the concept, but I say without reservation that we have taken a position. I think it's become abundantly obvious, abundantly apparent that this project has been undertaken without the due process, if you will, of consultation in a meaningful way.

I ask again rhetorically, as my friend from Parry Sound has said to the minister: When are we going to

see the Coopers and Lybrand study? You say it's only in draft format, Minister? I'd be delighted to see the draft. When are we going to see the Price Waterhouse document that you commissioned? When are we going to see the police services board report in terms of the impact of casino gambling on the services required by that community?

It seems to me that what has happened here is that we've undertaken a project and now we're doing the studies to rationalize it after the fact. Anybody with any sense of how you would normally operate in a business sense would say that the first undertaking is to establish the groundwork, look at the empirical data and formulate your plans accordingly.

What we have here is a government that has done everything, if I can say so, backwards. They have begun, set out on the course and now after the fact are beginning to rationalize by way of studies what needs to be done and will patch it up as they go. The constant refrain, the constant response we hear from the minister is this: "It's a pilot project. We'll work it out. The interim casino will give us an opportunity to work it out."

I am going to run out of time before I have a comment on this, Minister, but let me simply say this. It's naïve and absurd and is indicative of a failure to manage and conduct this in a business-like fashion.

**Mr Wayne Lessard (Windsor-Walkerville):** The member for Parry Sound in his remarks made a number of comments about issues that are important and concerns that are important to take into consideration when we're dealing with the matter of the establishment of the casino in the city of Windsor. They're all issues that we can study and discuss and that's going to be done when the committee deals with this matter.

However, there are some things that you could study ad nauseam. You're never going to reach a consensus and you're never going to reach a conclusion on them, and at some point you have to make a decision and move forward.

I know that this is something that we need to do properly. We need to move forward cautiously and carefully and make sure that the social fabric in the city of Windsor is not altered or it is altered as little as possible and that Windsor's reputation as a safe city is not tarnished.

If you listen to some of the comments from the member for Parry Sound, you'd think that maybe this is something that's being foisted upon an unwilling city, but I can tell the member that I have over 2,000 people from my riding alone who have indicated their support to me for this project. They're ready for it, and if I get any complaint, it is "You're not moving fast enough on it."

My friend has also asked questions here with respect

to what would happen to tourists once they come to Windsor, that maybe there's not going to be anything in the city for them to do to stick around and to enjoy. I'm reading from a letter that's from the Convention and Visitors Bureau of Windsor, and it was written to the member on July 9 and says that there has been established a casino-tourism task force to assist the local tourism industry in maximizing the benefits of the casino and to ensure that spinoff benefits accrue to the community. So there is work being done in the city of Windsor to make sure that it's an important tourist destination and that tourists do remain in the community when they visit the casino.

**The Acting Speaker:** We can accommodate one final participant. The honourable member for Brampton North.

**Mr McClelland:** As I ran out of time the last time around, I just wanted to indicate—

**The Acting Speaker:** I'm sorry, you've already had your two minutes. The honourable Minister of Consumer and Commercial Relations.

1630

**Hon Ms Churley:** I appreciate your allowing me to do this because there were a number of issues that the member for Parry Sound raised which I can't respond to now of course.

I would like to respond specifically to the three reports that he talked about, the police report in particular, the Windsor police report. It was done, as I said before, by the Windsor Police Service. My understanding is that the project team asked them to not release that study at that time because we asked the bidders to tell us in their bids and their RFPs how they would deal with policing and crime in Windsor, and we want them to do their own homework on that.

My understanding is that the ADM of the project team suggested to them that now the bids are in, they should feel free to release that report. It should be made available by them, therefore, at any time.

In terms of the particular study on social services and problem gambling, I believe that will be released today. The Coopers and Lybrand report, which I know everybody is very interested in, will not be available, it's my understanding, for possibly another couple of weeks. As soon as it is available, I will be able to release that.

I do want to say to the member for Parry Sound that I appreciated his comments, notwithstanding that at the beginning last night I believe I did heckle him outrageously for a little while. I think he made some very good suggestions today. I would like to say that most of the issues, if not all, that he mentioned of course I'm aware of. I don't agree with him on all of them, but I am certainly aware of them. I'm sure at the committee level he will get many answers to those questions he asked today.

**The Acting Speaker:** The honourable member for Parry Sound has two minutes in response.

**Mr Eves:** Just very briefly, I say to the member for Sarnia he's quite correct when he says that the previous Conservative government did not have a referendum when it introduced lotteries into the province of Ontario. Just because we made a mistake, why would you make the same one? Times do change, as Bob Rae says. They even change within the same year from time to time, as indeed his stand on casino gambling did within a matter of months before and after the election of 1990.

It is interesting to note that everybody is assuming that the citizens of Windsor want a casino because their municipally elected representatives want a casino. From time to time I'm sure we've all experienced the fact that the opinions we express in this House are not necessarily those of our constituents or the people we represent. We usually find that out on election day, whether they agree with us for the most part or they don't.

All I'm asking the government to do is to find out whether the citizens in the city of Windsor agree with them or they don't. I don't think that's a frivolous request. I don't think that's an unreasonable request with respect to casino gambling in Ontario.

I say to the member for Windsor-Walkerville, why the speed in proceeding with an interim casino? I think that all these concerns, which I think are very legitimate concerns, have to be addressed. Will the issue of money laundering be solved by either the federal or the provincial government by the time the interim casino, for example, goes into effect? It should be or I don't think we should permit the casino to go ahead.

All I'm asking is that the government do its homework and give the people of any jurisdiction the say as to whether they want casino gambling introduced into their jurisdiction.

**The Acting Speaker:** Further debate. The honourable member for Victoria-Haliburton. I want to remind all members that according to unanimous consent, the member has the allotted 30 minutes plus 19 minutes and some seconds transferred from the member for Parry Sound. I want everyone to understand this.

**Mr Drainville:** The first thing I would like to do is thank the gracious minister for being so forbearing in allowing me the extra time. I do appreciate that. I think that kind of largeness of spirit is something that needs to be respected when that's offered to another member of the House. So I'd like to begin my discussions on that kind of a basis.

I'm going to be discussing casino gambling within a different context than most members of this House. I have to state from the outset that I do not come to this legislation, Bill 8, looking at it and saying, "How can this legislation be made better?" I'm here to say that casino gambling is wrong for the province of Ontario.

I am against the principle. I have always been against the principle and I want to state unequivocally why it is that moving in the direction of establishing expanded gambling opportunities in the province will, I think, lead to a lessening of the social fabric of the province.

So it is that I'm not going to be suggesting to the honourable members of the government possible ways of making the legislation better, because if you don't agree with the principle to begin with, you don't want to see this kind of legislation passed. I come at it from a different standpoint and I may be the only one in the House who's going to come from this standpoint.

Because of that, I'm going to really restrict my comments to look at the principle itself, and then I'm going to look at the articles that have been written about this. Thousands of people in the province of Ontario have contacted me. I now have an anti-casino network of over 500 organizations, churches and individuals who have contacted me about this issue.

This week I will be submitting my 15,000th petition here in the House. That's how many people have signed petitions against the establishment of casino gambling. This is a little over 2,000, and I have been presenting these since the fall of 1992. So we go on with people who are indicating to the government of Ontario, the New Democratic Party government, that they have very significant concerns about moving on this principle to begin with.

So it is that I want to begin my discussions and say that, for me, the decision to go ahead with casino gambling was a very major decision that affected me very greatly. Years ago, I worked in the inner city of Toronto and I worked with low-income people. In that period of time, I am on the public record as indicating that the use of lottery schemes for moneys to government was in my view an abomination, that in fact it led people to abuse their money, and very often I saw the effects of that on their families. I saw the people who would come to the agency that I was the executive director of and I would see that their families were not being fed.

I would be there to help find shelter for people. I was there to help people through some very, very difficult times. I was there when people were having major problems with gambling addiction to try to find places where they could be hooked up with help. That was very difficult because there aren't places in Ontario, other than Gamblers Anonymous, and there are not a great number of Gamblers Anonymous places in the province.

I have been intimately involved in this problem for many years. I don't come to this House without having considered the full ramifications of expanded gambling in the province of Ontario. In fact, I have a great deal of experience in this area.

I'd like to begin by saying that from the beginning, we have not had the kinds of studies, discussion, debate, consultation on the principle that needed to be done. In fact, if we look very carefully at the public utterances, we knew nothing about the establishment of expanded gambling opportunities until we had the budget of 1992. It was in that budget that all of us, myself included, for the first time saw that this was going to be a policy of the government of Ontario.

There was a great deal of problem on my basis dealing with that, a great deal of problem because I realized what the impact was going to be. But more than that, I realized that the decision to go ahead was not based on solid thought and impact studies and discussion, but rather it was based upon, I believe, a view that we must secure moneys at all cost, under any circumstances, to help buoy this government through these very difficult, almost disastrous, I might say, economic times.

If I was to put it in other terms, I would say that what we saw was that the government was moving towards the politics of desperation, because indeed if you look at it from one standpoint, I think you would see that any government that seeks to make at least a major initiative into the reception of money through gambling as a means of buoying up its projects and its policies—you will see that as being a rather desperate measure. I think that's true in this case.

#### 1640

Right from the beginning, in what we heard from the honourable minister as she presented the case for the government for the moving into casino gambling, we saw that the minister was providing things like poll results. The minister was talking about the need to have entertainment opportunities for Ontarians, that we had changed our attitudes towards such things. In fact, I believe that on the day the pilot project was unveiled, on October 6, 1992, the honourable minister said, "We're going to have a fun casino and we're going to invite people to enjoy themselves at this casino."

But the question that keeps on coming to my mind is, how much fun, how much enjoyment can there be when you are going to be, by this act, consigning a certain number of people, a certain percentage of the population, to significant hardship, either social hardship or crime or other such difficulties? It seems to me that as we talk about a philosophy of government, a philosophy of leadership, surely one of the fundamental views of that kind of leadership has got to be that you maintain for people their quality of life, that you offer to people opportunities and challenges that are going to build up their citizenship and going to give them opportunities of realizing the fullness of their potential as citizens within that society. The question then must be asked: Do expanded gambling opportunities do that? I would say no; I don't believe they do.

The government has said many things, none of them based upon actual documentation or reports. In fact, we're only beginning to get reports now from those that were initiated over the last number of months. The government has said, for instance, that it has consulted. The government has said, for instance, that there will be job and economic renewal in Windsor. The government has said that there will be no crime increase in Windsor. It has also said that the policy it is now espousing is in no way a repudiation of the tradition it has been part of.

I have responded to those views. I responded to them in the first paper I wrote, a paper which I distributed to all members of the House: A New Democrat's Case Against Casino Gambling. That was the view I took, that indeed this was a betrayal of where we had stood for so many years as a party, even up to the spring of 1990, immediately previous to the election call; that our views were very cogent, very direct on this issue of lotteries and on raising moneys for the state through gambling means.

In the second paper I wrote, I responded to the view that somehow this was going to be—naturally, I'm going to use this word; I'm sure the government wouldn't—a panacea for the economic problems of Windsor. Indeed, I wrote a second paper, called Casinos—No Answer to Our Fiscal Fortunes: Another Perspective on Casino Gambling, in which I look at the claims that have been made by the government and I proceed also to make some comparisons, looking at the Crystal Casino in Winnipeg, because there has been a great deal of talk about comparisons. Well, there's no comparison; they are two very different models. You can't compare, the honourable member for Parry Sound has said, apples and oranges. I would say it would be more like apples and turnips. It's a very different kind of thing.

The minister and the government have been indicating that the casino and the establishment of expanded gambling opportunities is something that is going to be helpful to the province. In fact, they have made a great deal of the fact that it is not a regressive tax on the poor; it is not that, according to the government. I have here in front of me academic studies done by creditable academic sources throughout many jurisdictions in Australia and the United States—in Canada, even—proving through their studies that indeed any kind of taxation that is used by the state in this way is indeed fully a regressive tax on the poor.

**Mr Kimble Sutherland (Oxford):** It's not a tax.

**Mr Drainville:** The honourable member for Oxford says it's not a tax, that it's not a tax because only certain people do it and they only do it under certain situations. What is it when we place it on tobacco? What is it when we place that kind of thing on liquor, which only certain people use at certain times according to their own usage?

It is a regressive tax. These academic studies have proven it. I've asked the government repeatedly, I've asked the minister repeatedly: "Please, forget Drainville for a moment"—I know they'd love to—"and deal with the academic studies. If you can come up with academic studies and show how these are wrong, then I'm willing to debate that." I'm willing to debate that, but they haven't done it.

In fact, they won't do it, because the reason they are moving in the direction they're moving in is because it is for them a cornerstone of their attempt to make money, to maintain revenues so they can do the things they want to do. That's understandable; they're the government of the day. That's what they choose to do.

The fourth issue is crime. The honourable minister has said many times that there's not going to be an increase in crime in Windsor. The minister has likened Windsor and the establishment of the pilot project to Disneyland, and that under those kinds of entertainment venues we don't have significant problems, we don't have major problems of crime. To compare the establishment of a casino to Disneyland is, I would say to you, not exactly a fair comparison.

What else do we have in terms of a government initiative where we are sending police down to Atlantic City to learn what they do in Atlantic City; where we're setting up panel after panel of experts on crime to look at what impact this is going to have; where we're spending hundreds of thousands of dollars on studies, knowing full well that there are going to be significant problems; where we have leaders in police enforcement in the province of Ontario indicating their significant concern about the establishment of casino gambling in the province?

You cannot compare, I would say to the honourable members of the government and the minister, the establishment of a casino, which is inherently corrupt, as we've seen throughout the jurisdictions in North America, anyway—we cannot see that this is in any way applicable in the same way as, let's say, Disney World. We're talking about two different kinds of operations, and they both have their own kinds of clientele and they both have their own kinds of problems. But certainly casinos are something suspect in our society, and we've seen that in many places.

I have written four policy papers, and I have written them because I have felt very strongly that the information people need to have, they need to be given. I know it's very difficult for members of the House, with the demands made on their time, to be able to do the kind of research I've done in these things; it's very difficult indeed. But I think these papers need to be read and I think they need to take them seriously. I would hope they have, and they've read them. I don't know whether they have, but I hope they've read them, because I think it would shed a different light than

perhaps the government position would shed on the future of this province with expanded gambling opportunities.

Those are my prefatory remarks. What I'd like to do now is go to the material that has been sent to me. I'm going to hold them up here; I have hundreds and hundreds of letters. This isn't all of them. This is a portion of the letters I've received over the last number of months on this issue.

I wish there was a way we could have all those people give their own testimony, because I believe some of that testimony is very straightforward. I believe it would be helpful for the members to have. I'm going to begin just talking about some of these letters and reflecting on some of the comments that have been made.

I have one here from a crown attorney. I'm not going to name his name, but it's from a crown attorney here in the province of Ontario. He writes to me and he says:

"After 30 years as a crown attorney, I find it hard to believe that what was formerly criminal activity is now actually being promoted by the government.

"In a shocking perversion of language, we see people being invited to 'play' when there is no such activity involved, except 'pay.' A western Ontario college is about to offer a course in 'gaming.'

"Tell me if there is anything I can do to assist you in trying to avert the pending calamity."

This is signed by a crown attorney, for 30 years a crown attorney here in Ontario. I think that's a significant letter and speaks of someone who has some knowledge of our criminal justice system.

**1650**

From Exeter, Ontario, this gentlemen says:

"Government should (a) not encourage more gambling which can destroy lives and (b) not push gambling on people as a saviour for budgetary woes. Please take the energy and focus on getting the economy working again, not putting in gambling casinos, VLTs and various other lotteries."

Signed, W.G. Balsdon, doctor of veterinary medicine.

We have another citizen who is very concerned about this. It's from Bath, Ontario, an executive member of the New Democratic Party:

"I am writing to express my support for your stand against government-sponsored gambling in Ontario. I am the former president of the...association"—and I won't name it—"and have held several executive positions within the provincial party....But how is it that this government can cheerfully endorse a policy which has such obvious negative impacts? Isn't it obvious to the cabinet that casinos will only prey on the poor? And it is a very sad comment on the government if gambling is the best economic development strategy that we have

for border communities."

It's signed by Mr Michael Dawber.

From Hamilton, Ontario, Lorraine Beitz writes:

"I am extremely opposed to legalized gambling in Ontario for many reasons. Not the least of these is the enormous increase of crime of all kinds, including organized crime. This occurrence has been well documented in American cities which have recently implemented legalized gambling. I believe that it is unrealistic to think that government control could keep organized crime out of gambling. As parents of four children, my husband and I fear what serious side effects await our communities and our children's future."

We have a letter that was sent to the Premier of the province of Ontario by Mrs Evelyn Thomson of Willowdale, Ontario, and she writes:

"Dear Premier Rae:

"Perhaps it has been a hard thing for you to cast off the beliefs and standards that won respect and finally power for your party. Perhaps that last is true and perhaps you still harbour doubts about many aspects of your government's activities during the last two years. Honest mistakes are usually forgiven in people involved in public life, and even sometimes they are understood. Better to admit to a mistake than to be a party to disgraceful practices."

Here is one from Val Therese in northern Ontario, and this is written by Doris Labelle and Albert Labelle:

"We want to let you know that we are with you in opposing casinos in Ontario and we definitely do not want video slot machines, no matter how much revenue they bring in. Keep up the good work and do all you can to stop this piece of legislation from being passed. We agree with you that this will cause a great deal of hardship in our province, with many more children going hungry and an increase in family violence. We already have enough gambling in our communities with all the lotteries that are held, and where does all that money go?"

From a professor emeritus at Queen's University, department of political studies:

"I write to support the stand that you have taken. The government is the last authority that I expected to encourage this antisocial activity. When I first heard of it, I immediately wrote to the Premier expressing my objections. I enclose a copy for your information."

The letter to the Premier is also included, but I won't read from that.

This is a letter from Windsor, Ontario, and I might say just parenthetically that I've received scores of letters from Windsor and I've received literally thousands of petitions, people petitioning from Windsor on this particular issue. This is Mr Ernie Harris, who writes:

"I'm thankful for your stand on casino gambling, and I still will fight and oppose this way of making money. I have kept a blank copy which I will copy and get filled out again then send it to you. Myself and others have tried to talk with the MPPs in my area...."

Anyway, Mr Ernie Harris sends this letter and is concerned about the opening of casinos in the province.

Stewart Kinsinger, a doctor of chiropractic from Simcoe, Ontario, writes:

"Gambling victimizes the poor, the disabled and the disadvantaged. I believe it is as destructive as any compulsive behaviour such as any substance abuse."

He sends his regards and asks us to keep up the fight against the establishment of casinos.

I have a letter here from someone who will be known all through this House, that is, Dan Heap, a member of the federal Parliament. He has sent copies to me. He's written to the Premier and he also wrote to the three newspapers in Toronto, which as it happens didn't carry the letter, but I will read it into the record because it's a thoughtful letter to the editors of the three papers in Toronto:

"Dear Sir:

"There are at least four good reasons why governments ought to avoid public endorsement of gambling: (1) It fosters the 'get-something-for-nothing' attitude, which is unneighbourly and destructive; (2) It requires that many lose so that one can win, without merit. Our society doesn't need more cynicism like that; (3) If it is successful financially, it encourages the schemes of criminals, who after all sincerely believe in 'getting something for nothing'; (4) Mainly for those reasons it attracts and damages many low-income and discouraged people and teaches them to depend on a fantasy.

"For an NDP government to promote casinos, lotteries or other kinds of gambling is no better than preaching, 'You'll get pie in the sky when you die.'"

This is signed by Dan Heap, member of Parliament for Trinity-Spadina. That is a gentleman I have a great deal of respect for, a man who has stood up for many years for the kinds of issues that are important to the people of this province.

From my own riding in Lindsay, Lance J. Mitchell writes:

"May I congratulate you on your stand in opposition to the establishment of gambling casinos in Ontario. I too am opposed to this move by the NDP and support you wholeheartedly."

He says at the end, "Would you please petition the Legislative Assembly on my behalf in this regard." I'll say to Mr Mitchell, here in the Legislature I have. I have on many occasions.

We have from London, Ontario, a letter from a Dr Robert C. Buck:

"On this issue, the NDP party officers seem to be indifferent to criticism from the public. In any case they do not respond to letters that present a different viewpoint from that of the government. I wrote to Julie Davis last November about this."

He encloses that, and in that letter to Julie Davis, he wrote:

"There is, however, one policy of the Ontario NDP with which I strongly disagree. Mr Rae writes in his letter, enclosed with yours, that he has 'a continued commitment to social justice.' Is it social justice for the government of Ontario to derive millions of dollars by devious means from the poor and the ignorant rather than from those who can afford to pay and who have an education? Is it social justice to advertise ways in which such people can waste their money in the vain hope of winning a lottery? I had hoped that when the NDP came to power in Ontario, they would eliminate these loathsome institutions, so inappropriate in a truly democratic society. Instead, they have brought in casino gambling!"

This is from a member of the NDP, from a doctor, and someone who says that moving in this direction is not good for the province of Ontario.

We have from Rexdale, Ontario, Grace Olds. Grace writes, and this is to Premier Rae:

"I do not require a reply setting out your reasons for opting for casinos. As a delegate to our recent convention, I have heard you and Floyd Laughren and Ed Philip (my MPP) all express identical reasons for this action. I merely want you to be aware that there are some within our party who strongly oppose your policy of expanding gambling in this province, and who feel that, in doing so, you are betraying what the party has traditionally stood for.

"I realize that being in power is very different than being in opposition and that you are under stresses from all sides, but I find it very disappointing that so many of the ideals we have upheld for so long in opposition seem no longer to matter, and our party in power seems more and more indistinguishable from the other two parties. The millennium seems to have come and gone, but not much has changed."

A very poignant letter indeed from Grace Olds of Rexdale, Ontario.

**1700**

I think perhaps I'll end with these two letters that have come to me. One is from Imtiaz Akhmad, who is a PhD professor in engineering here in Toronto. He writes to me:

"Everyone knows that gambling is a game of chance. It involves taking a risk with the possibility of gaining some advantage. The risks are obvious. Most people who gamble lose money. Only a few win.

"Consider the case of lottery gambling. For every 10,000 losers, there may be one or two who win a few

dollars. For every 100,000 losers, there may be a few who win hundreds or thousands of dollars. For millions of losers, there may be a few who win \$1 million or more.

"Those who offer gambling are enticing people to lose money. Many of those who lose can ill afford it, and they, in the process, lose self-respect and possibly much more. Those who do win rarely bring true prosperity to themselves or the society that they live in. The government has found a way to raise money by seducing people to part with their hard-earned money."

"In particular, the casino gambling will have a devastating effect for a small city like Windsor. The city government may collect more taxes, but it will also see more poor people, more destitute and homeless and more who will depend on social services."

"Please show a caring attitude to the wellbeing of the society and, as an influential member of the Ontario Legislature, take a lead in opposing casino gambling. Do not let casino gambling come to Ontario cities. Do not let the government gamble with the lives of people."

Again, another poignant letter from a citizen of Ontario.

I'm going to leave off with one from Windsor again, because I think it's appropriate to try to have people from Windsor respond in the House, because I'm not sure that their voices—I mean, we've heard from many members in this House how much Windsor wants the casino.

I can only say that when people make that kind of a statement, they need to take a deep breath and think, because in fact there are thousands of people who are against the establishment of the pilot project, and those people were not the people who came out and supported it and they're not the people who really get any credit in all the public utterances that are made either by the council in Windsor or by the provincial government.

It's important that those voices are heard here in this Legislature, and that's why I presented the thousands of names on petitions of people who are against the pilot project and also I have tried to read some of these letters in.

**Interjection:** You read a lot.

**Mr Drainville:** Indeed, that's precisely what I'm going to do. This is from Matthew H. Diegel, who is a pastor of Christ Lutheran Church. This is sent to Floyd Laughren and this is a copy.

"Dear Mr Minister:

"I am writing to you out of concern about the legislation on casino gambling currently before the assembly. I oppose this direction of the government for at least three reasons, and ask you to do the same."

"Firstly, many studies have demonstrated that revenues from such gambling are nothing more than an

indirect regressive tax. The majority of those who gamble lose, so that others might gain a profit. In this case 80% of the profits will go to a private operator, who, probably American, will likely invest it out of the province. In your budget you spoke of fairness in taxation, and I believe in this strongly, so much so that I am a member of the local tax force, related to the FTC. However, the proposed legislation is not built on fairness, but on greed, pure and simple. This has never been the policy of the NDP and I fail to see why it should now become so."

"Secondly, the pilot casino project is being promoted on how much tourism it will bring to downtown Windsor. However, this is a naïve boast, in the light of all the other casinos springing up on weekends, and being proposed for Detroit, Montreal, London, Ottawa and first nations lands. The people of Windsor are hurting; however, a casino with a dubious future is not our answer. How much will the province have to pay to compensate us for increased policing, upgrading traffic infrastructure, and servicing the complex? What happens if or when it becomes a white elephant, as patrons flow to newer, and more convenient sites? I suspect that the city and province will have to pay dearly, the exact opposite of the dream being touted."

"Lastly, even if the casino is a success, most of the jobs created will be low paying and probably part-time. There is no guarantee citizens of Windsor, or Ontarians, will get them. Nor will they go very far to replacing jobs lost in factories during the last recession. Thus casino gambling is not a satisfactory job creation program, and indeed might create a ghetto effect, as the tourism industry is well known for spinning off other low paying jobs to service it."

Again, that's sent from Windsor. Those few letters that I have put into the record are people from all across the province of Ontario from different economic groups. I've chosen them from the literally hundreds and hundreds of letters—this is just one file folder of all the letters that I've received on this issue—from people who are very concerned about the future of this province and concerned, I might say, about the kinds of things that are being done by the government to try to insist that this policy is one that is for the people.

So it is that I'm glad to put those on the record. We now need to look at the public record, that is, the media, and see some of the things that have been written, the facts that have been presented and some of the investigations that are being done.

*Interjections.*

**Mr Drainville:** I hear the honourable members on the other side. They're trying to heckle. They're trying to say that the things I'm presenting aren't worthy of being presented. These are citizens of Ontario. Their voices should be heard in this Legislature. This is their Legislature, not that of the honourable members who sit

across the floor. This is the people's Legislature. If they want this cacophony of sound to continue, they can continue. It's not going to stop me from bringing these letters here. It's not going to stop me from presenting the facts. It's not going to stop me from debating the reality that this initiative on the part of the government is a bad initiative. It's bad in every possible way.

We read in the various articles that have been written over the last while some substantive questions that are being asked by the media regarding the expansion of gambling in the province of Ontario. Let me begin, if I can, with the Toronto Star on March 20, written by Thomas Walkom, who says:

**"Gambling on Casinos a Sign of Desperation"**

"What's so very sad about Ontario's decision to introduce casino gambling is the sense of social desperation that lurks behind it.

"When a government encourages its citizens to gamble in order to produce revenue for its treasury, it is admitting defeat. It is saying that society is no longer able, in an open and democratic way, to tax itself for the services it wants. It is conceding that government has lost the moral authority to convince taxpayers that, if they want public goods such as roads and health care, they must be willing to pay for them.

"It is saying instead that the only way to pry more money from the electorate is to con it—to appeal to its cupidity rather than its sense of rational self-interest. So it encourages gambling and takes a hefty cut.

"Gambling is a con. On average, the gambler can't get out what he puts in. Odds are against him. This is how gambling concerns make money."

He finally says: "Officially, the Windsor casino is a pilot project. But almost certainly, there will be more. The government has had requests from Indian reserves and other hard-hit border cities. The pressure is intense."

I might say that it's important as we address Bill 8 to say that the minister has often said, "We're only talking about a pilot project." I know the honourable minister is saying, in view of what the government is proposing at this time, "We've got one pilot project."

But as the government will admit and as the honourable minister will admit, Bill 8 in no way talks about one casino. It opens the door to the establishment of casinos throughout the province of Ontario. It's not dealing with one; it's dealing with the possibility of many. In fact, we know, sources have said, that the government has every intention, once we get the first one established, to be moving and establishing other casinos in the province of Ontario.

That's why the legislation doesn't prohibit that. I might have been perhaps a little more circumspect and a little stand-offish about the bill if the bill were dealing with one pilot project, but indeed it's not. It's opening

it up to casinos to be established throughout the province, and that means they certainly have an agenda to expand gambling in the province of Ontario.

**1710**

We go on to other articles. Perhaps this is a good time to read a couple of the opinion pieces that were in the Detroit Free Press. You know that in Detroit, they've had four plebiscites or referendums on the possibility of establishing gambling casinos in Detroit. They have been defeated each four times, although the last one that was held in Detroit was a very close thing indeed. I think it was 51% to 49%.

But in the Detroit Free Press, this is how it characterized the vote and this is the position it took and tried to communicate to the people in that city. It is from the Detroit Free Press of May 30, 1993. The headline in this editorial is "Vote No on Casinos, a Losing Bet for City."

"Proposal A is a good deal..." and that refers to the school referendum, but proposal B, casinos, is a bad deal. "Casino gambling is a sucker bet for Michigan, especially Detroit. Voters in Michigan's largest city should vote no on the casino ordinance before them this Wednesday."

"There is no more reason for Detroiters to embrace legalized casino gambling today than there was on the three previous occasions in the past 17 years when they rejected it. If anything, the dismal experience of communities afflicted with casinos has strengthened the case against this form of gambling."

"In Atlantic City, New Jersey, major crime has increased by 250%—more than 20 times the state-wide rate—since its first casino opened in 1978. Now it has a dozen casinos, but after an initial surge in tourism and convention business, the number of annual visitors to Atlantic City has fallen in the past five years."

"Employment, tax revenues and construction have increased, but little of that growth has trickled down to Atlantic City's impoverished residents. Most casino workers live in suburban communities."

"In the city, blight and homelessness have spread, and population and housing stock continue to decline. The casinos have driven out many once-thriving small manufacturers and retailers. Service jobs, many of them low-paying, have supplanted more substantial ones. Amenities for Atlantic City's children and families are few."

"Detroit—and, for that matter, every other Michigan community contemplating casino gambling—can't afford to take the same losing gamble. The city, and especially its youth, doesn't need another form of addiction and corruption. It doesn't need to offer another excuse for families and businesses to leave town, or not to move in."

"It doesn't need to impose another massive burden of

crime, organized and street-level, on its overextended police department. It doesn't need to weaken the community's hope and spirit. And it surely doesn't need a further transfer of wealth from the poor to the privileged.

"Proponents of Detroit's latest advisory referendum on casino gambling assert that theirs is a grass-roots community effort. But it is being bankrolled largely by the promoters of an Indian 'reservation' casino plan in Greektown.

"Detroit's economy and neighbourhoods can and will be rebuilt—by productive, honest work and with solid morals. Phony something-for-nothing schemes can only make things worse.

"Detroiter should vote no on the casino gambling ordinance. With luck, their implacable opposition to casinos in their city finally will be acknowledged."

This speaks volumes about how the people in Detroit, through the Detroit Free Press, believe that casino gambling is going to be something which is hazardous to their future as a community, and in fact in that plebiscite, they voted against it.

I want to say at the same time that the issue they raised about crime in Detroit is a very serious one vis-à-vis the situation in Windsor. Detroit is the murder capital of the United States, with many, many violent crimes, great problems with the drug trade, and in fact what we see is that this has seeped over into the Canadian side. Last December, there was a petition that was signed by the customs officers in the tunnel and the bridges in Windsor, and that petition said to the federal government, "We cannot continue with the level of staffing we have and the limited resources we have to do the kind of protection of Windsor and the Canadian border that we need to do, that this is getting beyond our capacity," and with government cutbacks they were continuing to find major problems.

When you have a casino, as has been attested to by experts, by studies, by even a good friend of Ontario himself, Donald Trump, by everybody, we know they are magnets for crime, so it is not going to take a whole heck of a lot to see that crime move across the border.

The honourable minister has said many times that she does not think there will be an appreciable increase in crime. You might want to know some statistics on that. How many police officers do you think there are in Windsor, which has about 200,000 residents? There are just a little fewer than 400 police officers. How many do you think there are in the city of Atlantic City, which has 35,000 residents? Four hundred. Now, think about that: 400 for 35,000, and 400 for 200,000.

**Mr Sutherland:** It shows we're saving.

**Mr Drainville:** That's right, for now; precisely the point. I'm glad the honourable member for Oxford's in the House, because he grasped the nettle immediately;

he understands precisely what I'm saying about that issue.

We have some more articles here that bespeak the kinds of concerns that have been raised by so many. I'm not, obviously, going to have time to speak about them all. We know that the London Free Press has said, "Gambling is the wrong approach to the raising of public funds," and that was on December 11, 1991.

We read in the Kitchener-Waterloo Record on January 23, 1993, "Ontario is Hooked on Lottery Funds." It goes on to talk about the expansion of gambling and it says at the end, "When a government gets hooked on gambling, whatever its motives, it is society that pays the price." I subscribe to that view. I think it's true.

In the Financial Post, January 29, 1993, we read, "Gambling a Bad Bet for the State," and we read at the end of that editorial: "There can be little doubt that the proliferation of government-backed gambling is encouraging more people to gamble. There's no evidence to suggest that the vast amounts of money pumped into the country's illegal gaming systems are being switched into legal games of chance. Indeed, there's much anecdotal evidence to suggest that the burgeoning government-run games are producing a whole new generation of gamblers. Although they have a duty to regulate such activities, governments should not encourage people to gamble. A moratorium on new gambling initiatives would be a sensible bet."

Those who have been involved in this issue and looking at it from the standpoint of the concerns about the addictive behaviour and the increase in addiction in the province and in the country with the expansion of gambling have all said the issue here is accessibility to gambling. We have not, in a sense, come in Ontario to the point where we have saturated the market to the extent that we have a high percentage, that is, 3% to 4%, who are compulsive gamblers and another 3% or 4% who are problem gamblers; we have not saturated that market. But the more opportunities that we put into society, the more lotteries we have, the potential of VLTs, the potential of different kinds of schemes, will actually increase the number of compulsive gamblers and problem gamblers. What are we talking about in numbers? Three per cent to 4% of Ontarians is, what, 350,000 to 400,000? Another 350,000 to 400,000 people would be problem gamblers?

These are significant problems, and we have not one program in this province set up to care for people who are going to lose their homes, their families and lead to major family problems. Again, the government has not understood that there is going to be a major social cost to be paid. And how is it going to be paid? By the taxpayers. It used to be that the Lord giveth and the Lord taketh away. Now it's the government giveth and the government taketh away. That's a problem for us.

1720

One other—no, I'd better switch to this one because I think it's more germane: "Police Casino Squad to Monitor Mob Activity." This is an article from the Toronto Star, June 18, 1993, by John Duncanson.

"Police officers are taking a crash course on the gambling trade in Atlantic City as they prepare to join a special 'casino squad' set up to handle an expected influx of underworld activity in Windsor.

"Over the past month, intelligence officers with the Ontario Provincial Police, the Mounties and the Windsor police have been recruited to keep an eye on mobsters, bikers and others police predict will try to move in on the lucrative casino trade.

"Eight other OPP officers are delving into the background of the dozen or so business groups vying to operate Ontario's first legal casino....

"We're doing extensive background checks to determine the honesty and integrity of the partners involved."

They go on and talk about this and indicate that, according to these sources, there's going to be an increase in crime, and that's why we're spending so much money sending these people to learn how to take care of underworld connections, how to find out more and more who is involved with casino gambling and who is involved with expansion of gambling and what the various connections are.

We're spending a lot of money already, and why? Because we are inviting opportunities for more crime in the province of Ontario. Now the government can say, "Oh, no, no," but their own police people, the law enforcement people, are saying, "Oh, yes, yes, there will be more crime."

It's a pretty difficult situation. My time is running down. In this last bit of time I want to bring all the threads together and say essentially that the policy that is set forth by the government is not thought out, that there has been lots of consultation but no consultation on the principle of moving in this direction, that it is, in effect, I would say, a sellout of the traditional values that the New Democratic Party and the CCF had.

I would say that there will be considerably increased opportunities for crime. Criminals will take advantage of it. I would say that the hope that there will be major economic benefits to Windsor is going to be ultimately a false hope. I would say as well that the social problems, on one hand the addictive nature of gambling but on the other hand the social problems that will accrue to people and to families, will be extensive.

For all of these reasons, because of the thousands of people who have petitioned this Legislature, because of the hundreds of letters that we've received against this initiative, because of the people who have been saying that this direction is the wrong direction for this prov-

ince, I come here to this House today and I say to the honourable members, for gosh sake, take these people seriously. Take seriously the academic studies that have been done. Take seriously the fact that people are concerned about this and that those concerns have a basis in fact.

I would say that I will vote against this bill because it is bad for the people of Ontario.

**The Deputy Speaker (Mr Gilles E. Morin):** Questions or comments? The member for Oxford.

**Mr Sutherland:** The whole debate about establishing a gambling casino in this province has seemed to border on the extremes. The member for Victoria-Haliburton said that each model has to be looked at individually. He says those who are in support of it can look at the Winnipeg model, yet those who oppose it want to compare it to Atlantic City. Well, Atlantic City doesn't have one casino. I'm not sure how many it has; I understand it has about a dozen casinos. There's a big difference between setting up a whole city of casinos versus putting one in one community.

The member for Victoria-Haliburton says he opposes casino gambling because of the impact it's going to have on the poor. First of all, some of the attitude that comes through implies that poor people aren't able to make their own decisions. One of the key principles that I always believed in as a social democrat was the idea of empowerment of individual people, that they're able to make their own decisions. Now, sometimes they will make bad decisions, but they are able to make their own decisions and empowerment is a key thing as well.

I don't dispute the fact that there may be some increase in crime, in pickpockets, in some other types of crime going on. But there are all kinds of things that we do in this province that have some negative impact. I mean, we do things. We build more cars. We build more highways. People get killed on highways. People get into accidents on highways. There are negative aspects, but the overall good far outweighs the negative.

In terms of the effect that casino gambling is going to have on the poor, the people in my community who do some casino gambling are not the poor people. They're middle-class people who fly to Las Vegas, who go to Atlantic City. They're the ones and they're spending their money outside the province.

I just want to say that I don't think establishing one casino here or a couple of others is going to mean the moral decay of Ontario.

**Mr McClelland:** It's interesting, the latter comments of my colleague who says that it's only the wealthy and the well-to-do who gamble. Let me just put on the record parts from an article that recently appeared in the Toronto Star, written by a well-known former New Democrat, one Pierre Berton. He writes as follows:

"Anyone who has read the Star's recent four-part

series on the Ontario government's plans for a casino society, cannot help but be struck by the incredible naïveté of the NDP members of the Legislature."

Now hear this. Mr Berton continues to write, "Even Gambling Bob, who once declared (in opposition)"—of course—"that legalized gambling was 'a tax on the poor,' has climbed aboard the bandwagon."

Pierre Berton asks: "How long before one casino becomes two casinos, and then three, or four? If one casino brings in \$140 million a year, why not a dozen—and balance the budget?"

"Does Ms Churley really believe that organized crime can be kept out of the casino business in Canada? Anyone who believes that, as the Duke of Wellington said, will believe anything.

"Talk about selling your soul"—and selling your principles—"for a mess of pottage! Well, at least we know what our priorities are in this province" under this government.

**Mr Peter Kormos (Welland-Thorold):** I listened carefully to what the member for Victoria-Haliburton had to say. There's no two ways about it: He has demonstrated leadership, first within this caucus and now within this Legislative Assembly, in articulating the views of a large number of people across this province.

Look, I've got to tell you I don't share some of the same ground as the member for Victoria-Haliburton. He has a well-rooted opposition to the concept of casino gambling. I, on occasion, have gone to the racetrack down in Fort Erie, without hesitation. I buy the occasional lottery ticket. Indeed, unlike some other members of this caucus, I've been to casinos.

I tell you, the casinos have not made a great deal of money from me, nor have I from them; similarly with the racetrack, similarly with Lottario. But I would suggest that some people take a walk and take a look and see who's participating in this process, because I'm sorry to tell you, it ain't the wealthy, because indeed the wealthy are down in Las Vegas. The reality is that for three hundred and fifty bucks, perhaps less, you can get a flight to Vegas, four days, three nights and Wayne Newton thrown in to boot.

The market that Windsor is designed for is the people living in a 100-mile radius of Windsor: the unemployed CAW workers of southwestern Ontario and the poor of Detroit. I tell you, if there's any money left in Detroit, the Americans would have got it first. I'd suggest to you that there had better be a lengthy and considered debate about this issue before we embark upon what could be a very perilous course. I thank the member for Victoria-Haliburton for his leadership in that regard.

1730

**Mr James J. Bradley (St Catharines):** I want as well to commend the member for Victoria-Haliburton for putting forward a very logical and well-thought-out

argument against casino gambling and specifically against this bill. I think what is significant in his particular case is that he has felt so strongly about this issue that he has been prepared to depart from his caucus primarily in regard to his opposition to casino gambling.

Anybody who knows the circumstances that face members of the federal or provincial Parliament knows that it is very difficult to leave a caucus. There has to be a very good reason to do so because there are a lot of perks that are available if you are in a government caucus. You can be a cabinet minister and make a lot more money and have a lot more perks available to you. If you are a parliamentary assistant, then you have available to you that opportunity, along with close to \$10,000. If you have a committee chair—it used to be called chairmanship, now called a committee chair—you would in that case make more money. So there are a variety of ways, and there are some favours that you can gather from cabinet ministers if you know them directly.

That is why I'm saying that in any Parliament it is very significant when a member is prepared to leave a government caucus to sit as an independent in the House, and primarily over an issue about which the member feels so strongly.

I commend the member for that. I think it should cause members of the government caucus, of the New Democratic Party, to reflect upon the position of the cabinet and perhaps to revert back to the old position of the CCF and the NDP.

**The Deputy Speaker:** You have two minutes to reply.

**Mr Drainville:** I thank the honourable members who have responded to my address to the House: the honourable member for Brampton North, the honourable member for Oxford, the honourable member for Welland-Thorold and the honourable member for St Catharines.

In the very brief time that's allotted to me, I will respond to the honourable member for Oxford.

The cry of "paternalism" has been said often by people who try to avoid the whole issue of the regressivity of the tax on the poor, which is a reality they do not acknowledge. In fact, it's an issue which really has to be tied to leadership; that is, what is the government's role in society? Is it the government's role in society to provide more opportunities for people to be hurt, for people to lose their homes, for people to have problems with their money, for people to have family problems?

You haven't experienced that, I say to the honourable member, and that's fine. I have. I've seen the devastation that this has on families and on communities. So when you say that it is paternalism, I would turn it

around and say it's time for leadership. It's time for the government to say, "We're going to initiate programs and processes and legislation that will ensure that people are built up, that they have opportunities that are going to use their abilities and their talents."

The moneys that will come from this are not going to provide that. Any of the statistics that have come from the minister have not been statistics that are based on fact. They're based on conjecture and they're based on polling and they're based on total fabricless information. I would say to the honourable member that when you're talking about paternalism—

**The Deputy Speaker:** Please address the Chair.

**Mr Drainville:** I would say that when the honourable member speaks of paternalism, he is speaking really about an unwillingness to take leadership and say: "No, our government will not continue to hurt people. We will change this direction and we will ensure that people are protected as they should be in society."

**The Deputy Speaker:** Further debate? The member for Lawrence.

**Mr Joseph Cordiano (Lawrence):** I'm delighted to have this opportunity to speak on this most important subject, one which touches all of us in this House and affects all of our constituents in fundamental ways. But I must say that I'm a little delirious at the level of sanctimony that I've heard on occasion in this chamber, and particularly on this subject.

Having said that, let me just say this. It is with particular interest that I note that some people in this chamber have the strength of their convictions; namely, to fight for what they believe in and to put their money where their mouth is. That's certainly the case with the member for Victoria-Haliburton on this issue. I must remind government members that we must look at the fact that the member for Victoria-Haliburton has believed so strongly in the wrongheadedness of his former party's position on casino gambling that he went so far as to cross the floor and sit as an independent. No one should question that level of conviction.

I say that to say this: This is not a discussion, for me at least, that is to follow on moral ground. Perhaps the member for Victoria-Haliburton speaks from his convictions, speaks with a sense of moral higher ground, and I leave that for others to determine, and those who are watching.

I would speak from a position of practicality on this subject matter, as I always have approached this. The minister, is sitting in the House, and I, being the former critic for Consumer and Commercial Relations, have said on many occasions on this matter that you have approached this in a wrong fashion, and I say this now with some new perspectives, which I bring to light in my speech today. You haven't looked at the practical aspects of the effect that you will have.

We have on repeated occasions asked for impact studies from this government, the kinds of impacts that will be felt by every citizen, not just in the city of Windsor. If there is the degree of success with the casino in Windsor, and we're talking about a pilot project today—and that, again, is questionable—I would ask the minister to consider the fact that when her casino opens in Windsor—if it's successful; success breeds success—there will be additional competition from across the border. I guarantee that. It is my belief that the state of Michigan, the state of Ohio and the state of New York will not sit idly by and watch potential revenues being sucked from their states into the province of Ontario. I firmly believe that there will be head-on competition which will inevitably lead us into a struggle for the market share that is to be gained. The competition will be fierce for those people who would attend the casino.

Remember now, we're talking about a population base in the millions within easy driving distance. There are those who have looked at this from a business point of view and have said there will be additional competition. There are those who have said that certainly one casino would not stand the test of time, that in fact other casinos, even in the city of Windsor, would be required to meet the expectations and the competition that is to come.

Let's not fool ourselves. Once you set this train in motion, you have indeed embarked on a long journey which will require additional investment, additional outlays of capital on the part of the government, additional requirements in other centres. This will inevitably spread, if not even to keep a successful operation going, but the fact that there will be competition emerging on all sides. This will set a chain reaction. There is no doubt about that in my mind.

I think this government is ill-prepared to deal with that, has not factored that into its plans. We have repeatedly pointed that out and I think to suggest to the citizens of this province that this is simply a pilot project which will be self-contained in the city of Windsor, that it will be one casino, that it will not look like Atlantic City, those are hollow promises, I think based on naïveté, at best. I won't be more cynical than that. I think what we're talking about here is being on the road to full-fledged casino gambling throughout the whole province and additional strengthening of the casinos at the border sites, because there they will face the stiffest competition in the future.

**1740**

Having said that, I just want to note that it's symptomatic of this government, or at least a tell-tale sign, something that we will remember this government by, that it always acts not looking forward but looking backwards and taking initiatives which are dated. This is an initiative which has a lot to be longed for, in the

sense that this government has not looked at the fact that there will be additional competition, as I've pointed out already, and the fact that the additional revenues it hopes to create simply will not be, down the road, as fruitful unless it's prepared to spend additional dollars.

Let's not be fooled about that, and that's what I'm trying to tell the government: that it will have to spend additional dollars down the road and that this will be an ongoing struggle for market share, for attracting tourists and attracting a continuous flow of players. We know that's what's required in order to generate the big dollars the casinos are generating in places like Atlantic City. If the government tells me that it doesn't want to generate big revenues—its estimates are out the window about what it's going to generate. They're looking at these big dollar amounts and have convinced the people of Windsor and these other cities that are interested in having a casino that there will be huge dollars involved and that the spinoffs will be tremendous.

The spinoffs, I say to you, will be very limited to those businesses. We see from the experience in Atlantic City that most businesses that were hoping for spinoffs, that were located next to the casinos, found that these were pie-in-the-sky promises. They did not see the spinoffs; in fact, many of those businesses closely situated to the casinos lost money, and most of them have since closed down in Atlantic City. That will be the problem for this government in the city of Windsor. I say to the government, you will see that the spinoffs simply aren't there.

In a casino economy, the casinos need to generate a continuous influx of people, which means they need high volumes of people and those people have to gamble for great lengths of time in order to generate the kinds of revenues that this government and this Treasurer are interested in and lustng for. I would say that as a result of that, the casino economy does not encourage spinoffs; it will not permit spinoffs.

The people who go to a casino to gamble are going to be encouraged to stay in the casino for as long as they can keep them there, because that's the way the casino will make money. This has been pointed out by many experts, and I'm sure the government is hearing this from those who are bidding on the tender that has been competed for.

The fact of the matter is that those businesses in Windsor simply will not see any of the benefits. That's a case in point. We saw that in Atlantic City. In fact, in Las Vegas you have casinos which offer everything to their clients, from the possibility of eating right in the casino to having entertainment right there and staying in accommodations right on the premises. Those are all things that are designed to keep the client in the casino, keep the customer there, keep them gambling. After all, that's what this is about, huge-volume gambling, and that's what produces those large revenues. Let's not fool

the people of Ontario that this is somehow not going to lead to that. Let's be clear about that.

There are a number of other factors which have to be considered and that this government has failed to consider. The impact studies, which I have called for and the present critic calls for and other members of the opposition have questioned the government on, simply have not been made available. You have to ask the government, do you really know what the impacts of this will be?

I understand that the minister has said there's a Coopers and Lybrand report that she will table some time in the near future, long after the fact. This bill, Bill 8, is set to go to committee within the next two weeks, and no one in the public or the opposition has available to them yet, as a result of the government having conducted impact studies, the kind of information which is important.

I remember the minister arguing at the time, when I asked her about this, that it was a pilot project which was going to give us the kind of information that was being sought by members of the opposition and the public; that it would be the pilot project which would answer the questions about the social impacts, the ills that will be facing the people in the city of Windsor; that questions like that would be answered by the pilot project once it was up and running and we could actually see what the results were. The questions around policing, the questions around organized crime, the questions about laundering money, the questions regarding who is going to pay for the additional costs of policing, the additional social impacts, I say to the minister, those questions still hang out there.

The city of Windsor is not benefitting directly in the revenue flows from the casino that will be generated. I think that's a negative; that's quite a disaster for the city. Costs will go up, property taxes will go up to offset those costs for the municipality, and there will not be offsetting revenues from the provincial government.

The minister has talked vaguely about—and there are ongoing discussions, as we understand it, and negotiations with the city of Windsor—some additional grants going to the city of Windsor, but we have precious few specifics and details on that which have been made available by this government. I think that simply leaves the debate open constantly for the kinds of questions which have been raised in this House, and the public has the right to know, because those are serious impacts.

In the communities that will seek to have casinos located in their particular city, I think it would be appropriate to have that kind of discussion and debate go forward from this time on so that the people in this province would be well informed.

As I said, this train has left the station. Once you have one casino up and running, it will be very difficult to reverse that, because it would be like a sunk cost; the casino will be operational. If it's really successful, there will be additional competition on the American side of the border. There will be an additional requirement for further investment in casinos to keep up with the competition that's across the border; the casino size will have to expand. I think we'll see at the end of the day that this will be full-fledged casinos, the type which we see in Atlantic City and Las Vegas. In my mind, there's no question of that.

To suggest to people that we're going to look something like Winnipeg or look something like other casinos in Europe I think is incorrect, ill-conceived and not telling the total story about what's going to happen here. That's why I think it was important from the outset to have these impact studies to be able to determine what the real impacts are.

We know that the horse racing industry will be devastated by this; there is no doubt that there will be a negative consequence on the horse racing industry. It employs 54,000 people across the province, and it's an industry that generates about \$2.2 billion in revenue right across and about \$55 million in revenue to the province directly. That's an enormous industry which this government has failed to look after, and the consequences and the impacts of casino gambling will simply add another blow to an industry which has been employing, as I say, 54,000 people.

We have no indication of the kinds of consequences and how many jobs will be lost in the horse racing industry. There have been cases in the United States—again New Jersey, for example, and other states—where horse racing has declined and wagering has declined. We see that there have been negative impacts there as a result of casino gambling.

The other sector, of course, to be affected quite negatively is the charitable gaming organizations. We've pointed out repeatedly that charities will be hurt by the establishment of casinos, and again I point out that it's not just one casino in Windsor but that in fact this will set off a whole chain reaction. As the government has implied, there will be other casinos in other cities across the province to come; more to come, folks.

#### 1750

So I say, as a result of that, charitable organizations across the province will be affected, because there are only so many dollars to go around—and this is an argument that we've made in the past and continue to make—there are only so many dollars to go towards gaming and, quite frankly, you keep cutting that pie up smaller and smaller and more of it will go to the casinos, because they'll be offering the kind of total package which cannot be offered by the charitable organizations on a casino night which they establish in

a church basement.

The kind of glitter and excitement that will be offered by a casino is no match for a charitable organization in a church basement hall. I say that has serious implications for the revenues that are generated by those organizations in the future, and the government cannot ignore that. It simply cannot ignore that.

As a matter of fact, the government should realize this from its own experience in lotteries. The government realizes that it has to continuously update lotteries, introduce new ones, to keep the attention of the people who play these lotteries and keep the interest and excitement going. That's exactly the kind of thing that has to happen in this area as well, and when casinos are being offered up as an alternative form of entertainment, you know very well that those charitable organizations simply cannot compete with the casinos in offering that form of entertainment.

So you leave the charitable organizations with a lot of questions about their future, pondering how they're going to sustain their revenue stream, and quite frankly I am not at all satisfied by this government in its answers to the charitable organizations as to how they will make up those lost revenues. Not much has been said by this minister; not a great deal has been said at all by this government.

Again, this government is forsaking all of those groups, simply because, as a practical consideration, it lusts after those revenues. The Treasurer can't wait to get his hands on the revenues that are generated by the casinos. It's a jackpot. It's the kind of thing where they've thrown all principle out the window.

I find it interesting; I have a quote here, going back some time, of course, but the Treasurer once said:

"I would hope that the government doesn't get into the position of using lottery funds to bail it out of fiscal deficits or for essential services. That truly would be offensive."

That was something the Treasurer said back in 1975 with regard to the subject matter of the introduction of lotteries in this province.

Now, that was a long time ago, and the Treasurer obviously has changed his view about the world, but no consideration has been given to the kind of philosophical, principled position that once was the trademark of the Treasurer and the trademark of the Premier and I suppose could have been said about the entire New Democratic Party. It's no longer the case.

But, as I say, I've tried to deal with this subject on practical considerations today—I've dealt with some of those other matters in previous addresses—but as a practical consideration, after having forsaken their principles and after having given up any sense of who they represent and what this party stands for in regard to this issue, I say to the minister, who was at one time

opposed to casinos, not so long ago when she was a councillor, at the CNE. I recall she was very opposed to the introduction of a casino at the Canadian National Exhibition.

**Hon Ms Churley:** Do you know why?

**Mr Cordiano:** For whatever reason, the fact remained that the minister was opposed to the establishment of a casino at the CNE back in those days. That was then, this is now, and again we point out the reversal of roles. That happens a lot in this place, and I understand.

But when the Premier stands up and says, "I can appreciate the opposition saying that because they're in opposition and they're opposed to everything we do and say," it becomes a little difficult to sit here and to hear the Premier say that day in and day out as a defence for what he's doing today when in the past he was so vehemently opposed and the positions he took were so stridently based on what we thought were his convictions. Obviously, that is not the case today.

Getting back to practical considerations, which are very much to the point today since we're dealing with a piece of legislation which is going before committee, obviously we're not dealing with the principle of the matter. Once we get to committee, we're going to be dealing with the practical elements of the bill.

I still think this is a flawed project. We need additional measures to be taken to ensure that once the casino is up and running, it will prove to be a success, and that the government understands what it's getting into. I still think the government fails to realize just what its competition is going to be like, what the requirements are going to be, what the elements of risk really mean for the people of the province of Ontario and the impacts they're going to be facing.

Again, one other consideration: Let's not forget the fact that another group to be considered in all of this is native Canadians, native groups across the province. I understand the task force dealing with this has been meeting with natives, but it has not come to any agreement with the native groups. Quite frankly, there is a recipe for disaster that looms on this matter. With regard to native groups, there has not been a clear direction which the government has stated it will follow. Again, negotiations are ongoing, but they seem to be leading to chaos.

I think it would be incumbent upon the government to establish a clear direction in this regard, to ensure that there is an agreement with native groups so that we don't have a chaotic situation across the province and reservations across the province, where native groups legitimately would say that they're going to move forward and where the government entrenches itself so that there is no agreement for all to see and for all to understand that we move forward with.

The other matter I wanted to deal with in the time that remains to me is the fact that the process that was followed was also flawed. In our opinion, the very integrity of the bidding process was called into question. The fact that the selection of the site of the interim casino was questioned and continues to be questioned is of some concern to me. We're getting off on the wrong foot here, so to speak, and it does not bode well for what's to come in the future.

Again, this speaks to the ability of the government to manage a process, to see that there is equity and fairness that guide the entire undertaking that is pursued. Again, I say to the minister, you must be very cautious about how you proceed in this regard. This process must be seen to be fair, it must be with integrity. That's being questioned and has been questioned by my colleague and others in this House and will continue to be questioned, because there are legitimate concerns about the integrity of this process.

I would caution the minister to ensure that the integrity of the process remains intact, that there is seen to be a fair and equitable process that's undertaken in the bidding and that, quite frankly, nothing could be called into question at the end of the day, because there are a number of continuing questions that beg answers and most of those have not been answered.

We in committee will be making a number of inquiries on behalf of the minister with respect to this. Ongoing questioning will be pursued because there are so many unanswered questions.

1800

Finally, I want to say that after the government decided that it needed new revenues, additional revenues, a new revenue source, it looked to the easy answer of casino gambling. As I started to say at the beginning of my remarks, there will be additional competition to be concerned about. I think that this government, as it has done, as it is showing its hand right across and its patterns are becoming quite a bit more visible now—if you want to look at things objectively and to be objective, I would say this government comes up with initiatives which, quite frankly, are outdated.

This initiative, casino gambling, I think is fraught with problems because you're not looking at this industry in the way it needs to be looked at. I understand that even in Las Vegas it's an ongoing struggle to keep people coming to Las Vegas. It's an entertainment dollar that keeps shrinking and constant competition exists for that entertainment dollar. I understand that in Las Vegas there are plans to have a mega-entertainment centre under way, and I know the minister would want to listen to this. She's not paying attention, but maybe she can review what I'm saying later.

The fact of the matter is that the competition remains for the entertainment dollar and is growing each and

every day, in places like Las Vegas where they're planning a mega-entertainment centre that goes well beyond just casino gambling. It's something that I think this government needs to take into consideration when it's planning the casino in Windsor and expecting huge revenues. When the Americans look at what we're doing—I've said this already—they will no doubt follow and then initiate their own plans for casino gambling immediately across the border; people in Detroit, people in other parts of Michigan, Ohio, New York state. I think we will see intense competition for these dollars.

I say to the government that you've got to be prepared for that competition, and if you're thinking that you're going to set up a small casino in Windsor and make huge dollars from it, think again. You're going to be required to put in additional expenditures, additional capital outlays for those dollar returns. You're going to be required to put up with a great deal more competition than I think you bargained for, if you want this to be successful on the revenue side. Having taken this decision—and I'm not arguing; again, let's leave moral issues aside, which I did at the beginning of this debate, on whether you've taken the correct decision in that regard—the bill has been tabled for consideration. As a practical consideration, you have to understand that you're dealing with an entertainment product and that it's far more complex than just setting up a casino, if you want this to be successful.

Again I say to the minister that you have not shown me, at least. I don't feel you have done this to the extent that you should. You've taken on additional studies to show what needs to be done. You haven't released them, and I would ask again that you do that so that we can all be apprised of what it is that you're dealing with in terms of impacts and what it is that you're going to have to deal with in the future.

I say to the minister that you failed to do that. You failed to satisfy the opposition's concerns and, I suspect, a greater number of people in the province of Ontario than you care to admit.

**The Acting Speaker:** Question and/or comments?

**Hon Shirley Coppen (Minister without Portfolio in Culture, Tourism and Recreation):** Mr Speaker, through you to the member for Lawrence, I disagree with a couple of comments you made in your debate. First of all, you say that there'll be no spinoffs at all in a community that will house a casino, and a lot of people have taken the time to read letters, read newspaper articles. I ask you to read the Windsor Star of July 20, where it give almost half a page of benefits to that community's spinoffs.

Both of us know that when anyone goes into another community, they become a tourist. Not only will they go into the casino, but they will look around Windsor and see all the wonderful things that Windsor has to

offer: the shopping, the entertainment, the amusement parks, Point Pelee National Park. I keep hearing that people are going to go into casinos and it appears they're going to be chained to a machine or chained to a table. For heaven's sake, give people some credit. Not only will they go there to enjoy the casino, which has been planned by this government, but they'll also be able to get out as a tourist and enjoy. There will be spinoffs.

The other thing you brought up that I disagree with is you feel this government has not been addressing the concerns of the horse racing industry. I represent the riding of Niagara South, which has the Fort Erie Race Track, and if there's anything in my term here, it's how proud I was last year when this government stood by that racetrack, made it a viable racetrack, and kept 4,500 people working in my riding. Those were a lot of spinoff jobs and direct jobs at the racetrack.

This minister has given consideration to horse racing, even the sites. There has been consultation with the horse racing industry, with the unions, with all the farmers in that area. This minister and this government will not hurt the horse racing industry. We want to work with them. But I'm very proud about the idea of having casinos. There will be spinoffs for communities, there will be extra tourism, especially in Windsor.

**Mr McClelland:** I want to commend the member for Lawrence for his contribution to the debate and also recognize and acknowledge the fact that when the legislation was first being discussed and was in its draft form, the member for Lawrence was critic for the official opposition for Consumer and Commercial Relations. I want to express publicly my thanks for the work that he did. Quite frankly, that made the transition in my assuming that responsibility in the opposition much easier, because of his good work and his collegiality and cooperation throughout.

A couple comments with respect to what the member for Lawrence said in this debate: I think he makes a very good point in terms of the economic benefit that may accrue to the city of Windsor or indeed any other site. Certainly the member for Niagara South raised that issue. I don't believe she was here last evening, and perhaps other members. I simply again want, in light of the member for Lawrence's comments, to remind members in this House that the empirical data show very plainly that most people who come into a casino do not come as tourists per se, that they come in to gamble and that, on average, they stay six hours and spend five hours and 40 minutes gaming. The other 20 minutes is devoted to travelling and to secondary industry. Because of that, I doubt very much that we are going to see a \$325-million accrual to the secondary benefit that has been suggested.

Further—I just want to comment very briefly—the member for Lawrence also makes a very good point

with respect to the horse racing industry. We're not talking about subsidies. The member for Niagara South may have a different view of it. The horse racing industry wants to be treated, if you will, on a level playing field, to be taxed as it would be, if I can use this, in a competitive sense or equally with other gaming. The fact of the matter is that they're taxed as a monopoly. They are no longer a monopoly and that ought to be given consideration.

**Mr George Mammoliti (Yorkview):** While I appreciated his comments, I know deep down inside that the member for Lawrence does agree with the casino. I'm not saying to the member that I don't believe him and that I don't believe he disagrees with it. Understanding his constituency as well, I would think a lot of his constituents would even want to see a casino nearby.

**Mr Cordiano:** Oh, you assume too much.

**Mr Mammoliti:** I may be taking a chance by saying this, but I think that deep down inside the member for Lawrence does agree with the casino.

Let me just reflect on some of the things that the member neglected to mention, probably unintentionally, I would think. In his argument, he doesn't mention the amounts of money that are currently going across the border. Billions of dollars a year of Ontario money are currently going to places like Las Vegas and New Jersey. We need to take a look at that as well.

What are the potential savings on that? How much of that money will actually stay in Ontario after this is built and running? You need to start talking about this, as well, because this is very important. Restaurants, the hotel industry in Windsor, talk about the positive things. Don't speculate because if you speculate, you're only misleading yourself. You should be talking about the positives.

I tell the member for Lawrence, go to Windsor, if you haven't been there, and have a chat with the first five people you see on the street, and ask them how they feel about the casino, because I can almost guarantee you that most of them will say they appreciate the fact that the government is bringing one there, and they appreciate the fact that it's going to bring business. Do a little bit of homework.

1810

**The Acting Speaker:** The honourable member for Lawrence has two minutes in response.

**Mr Cordiano:** These are all idyllic kinds of views that things will prove to be just dandy for the establishment of a casino in the city of Windsor, and that there'll be huge numbers of jobs created. We wave a magic wand and all the problems will be solved.

That's what I caution against. I caution against that because the type of economy that's created by a casino does not lead in fact to very good-paying jobs. It does

not lead in fact to any of the kinds of spinoffs that have been mentioned here.

It's the very questioning of these spinoffs that is the reason I bring these concerns to the chamber today because, quite frankly, I doubt seriously that there will be the kinds of spinoffs that perhaps, in a naïve kind of way, the members opposite have hoped for and, with good intentions, want the citizens of Windsor to benefit from.

All of us want the citizens of Windsor to benefit from real economic spinoffs, and for that matter, the rest of the people in the province of Ontario, but I say again, this is not a panacea. This is a ploy on the part of the government to extract as much revenue as it possibly can from a revenue-generating operation. Quite frankly, that's why I'm so cynical about it.

If you had insisted that the city of Windsor was to share in some of the benefits directly from the revenues that are generated, then I could see some merit in what's being proposed. I could see that, but when you simply say, "Let them have the spinoffs; let them be content with that," I say no, that's not enough. That's simply not enough, because we know from the experience of other cities that this has led to misery, that this has led to failed dreams and promises that were not kept.

I say, do not tell the people of the city of Windsor promises that you cannot keep.

**The Acting Speaker:** Further debate?

**Mr Cordiano:** I move adjournment of the debate on Bill 8, it being past 6 of the clock.

**The Acting Speaker:** We have a previous agreement that we go to 6:15.

**Mr Cordiano:** Well, it being close to 6:15, Mr Speaker.

**The Acting Speaker:** Do we have unanimous agreement? No. Further debate?

**Hon Mr Hampton:** I'm not sure exactly what motion the member opposite intended to make. I merely wanted to say that if we have concluded debate on the question, we want to call the 18th order.

**The Acting Speaker:** It is an order of the House that at 6:15—

**Mr Cordiano:** Mr Speaker, if I may, I'm simply calling for adjournment of debate on Bill 8. On Bill 8, the matter that we have dealt with, we had agreement that we would continue until 6:15. It being close to 6:15, I've asked for adjournment of debate on Bill 8.

**The Acting Speaker:** Okay. The Chair will assume adjournment of the debate, it being very close to 6:15. It would be quite unfair to the next participant. We now move to orders of the day.

*Report continues in volume B*

*Continued from overleaf*

## TABLE DES MATIÈRES

Mardi 27 juillet 1993

PREMIÈRE LECTURE	
<b>Loi de 1993 modifiant des lois en ce qui concerne les réductions des dépenses et les recettes non fiscales, projet de loi 81</b>	
M. Laughren . . . . .	2821
<b>Loi de 1993 modifiant des lois en fonction du budget, projet de loi 84</b>	
M. Laughren . . . . .	2821
<b>Loi de 1993 sur les gains réalisés à la suite d'un acte criminel, projet de loi 85</b>	
M. Jackson . . . . .	2822

## CONTENTS

Tuesday 27 July 1993

<b>MEMBERS' STATEMENTS</b>	
<b>Government policy</b>	
Mr Kwinter .....	2805
<b>Justice system</b>	
Mr Carr .....	2805
<b>Kelsey-Hayes Canada</b>	
Mr Sutherland .....	2805
<b>Closure of fisheries research unit</b>	
Mr Brown .....	2805
<b>Insurance tax</b>	
Mr Murdoch .....	2806
<b>Mouseland</b>	
Mr Abel .....	2806
<b>Social contract</b>	
Mr Beer .....	2806
Mr David Johnson .....	2807
<b>Member's comments</b>	
Mr Mills .....	2807
The Speaker .....	2807
Mr Sterling .....	2807
<b>Habitat for Humanity</b>	
Mr Ferguson .....	2808
<b>ORAL QUESTIONS</b>	
<b>Ontario Hydro</b>	
Mr Conway .....	2808
Mr Rae .....	2808
<b>Social contract</b>	
Mr Conway .....	2810
Mr Laughren .....	2810
<b>Ontario Human Rights Commission</b>	
Mr Harnick .....	2811
Ms Ziemba .....	2811
<b>Ontario public service settlements</b>	
Mr Eves .....	2812
Mr Rae .....	2812
<b>Jobs Ontario</b>	
Ms Poole .....	2813
Mr Cooke .....	2813
<b>Funding application form</b>	
Mr Stockwell .....	2814
Mr Rae .....	2814
<b>Raccoon rabies</b>	
Mr Gary Wilson .....	2815
Mr Hampton .....	2815
<b>Provincial parks</b>	
Mr Cleary .....	2815
Mr Laughren .....	2816
<b>Fees for use of crown land</b>	
Mr Jordan .....	2816
Mr Hampton .....	2816
<b>Pickering airport lands</b>	
Mr Wiseman .....	2817
Mr Buchanan .....	2817
<b>Drug treatment programs</b>	
Mr Ruprecht .....	2817
Mrs Grier .....	2817
<b>PETITIONS</b>	
<b>Health care</b>	
Mr Eddy .....	2817
Mr Huget .....	2818
Mr Murdoch .....	2818
Mr Miclash .....	2819
Mr Stockwell .....	2819
Mr Carr .....	2820
<b>Gambling</b>	
Mr Drainville .....	2818
<b>Social contract</b>	
Ms Poole .....	2818
<b>Public services</b>	
Mr Bisson .....	2818
Mr Cleary .....	2818
<b>GO Transit</b>	
Mr O'Connor .....	2819
<b>Casino gambling</b>	
Mr Jordan .....	2820
Mr Drainville .....	2820
<b>Pension funds</b>	
Mr Huget .....	2820
<b>Technical fees</b>	
Mr Miclash .....	2820
<b>Retail store hours</b>	
Mr Bisson .....	2820
<b>FIRST READINGS</b>	
<b>Expenditure Reduction and Non-Tax Revenues Statute Law Amendment Act, 1993, Bill 81</b>	
Mr Laughren .....	2821
<b>Owen Sound Little Theatre Act, 1993, Bill Pr35</b>	
Mr Murdoch .....	2821
<b>Budget Statute Law Amendment Act, 1993, Bill 84</b>	
Mr Laughren .....	2821
<b>Proceeds of Crime Act, 1993, Bill 85</b>	
Mr Jackson .....	2822
<b>SECOND READINGS</b>	
<b>Ontario Casino Corporation Act, 1993, Bill 8</b>	
Mr Eves .....	2823
Mr Huget .....	2831
Ms Churley .....	2833
Mr Eves .....	2830, 2833
Mr McClelland .....	2832, 2842, 2847
Mr Lessard .....	2832
Mr Drainville .....	2833, 2842
Mr Sutherland .....	2841
Mr Kormos .....	2842
Mr Bradley .....	2842
Mr Cordiano .....	2843, 2848
Mrs Coppen .....	2847
Mr Mammoliti .....	2848
<b>OTHER BUSINESS</b>	
<b>Speaker's ruling</b>	
The Speaker .....	2808

*Continued overleaf*

22  
-02-

No. 55B



Nº 55B

ISSN 1180-2987

## Legislative Assembly of Ontario

Third Session, 35th Parliament

# Official Report of Debates (Hansard)

Tuesday 27 July 1993

## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

# Journal des débats (Hansard)

Mardi 27 juillet 1993

Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers



### **Hansard on your computer**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. Sent as part of the television signal on the Ontario parliamentary channel, they are received by a special decoder and converted into data that your PC can store. Using any DOS-based word processing program, you can retrieve the documents and search, print or save them. By using specific fonts and point sizes, you can replicate the formally printed version. For a brochure describing the service, call 416-325-3942.

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

### **Subscriptions**

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Lists of members**

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month. A list arranged by riding and including ministerial responsibilities appears on subsequent Mondays.

### **Le Journal des débats sur votre ordinateur**

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Ces documents, télédiffusés par la Chaîne parlementaire de l'Ontario, sont captés par un décodeur particulier et convertis en données que votre ordinateur pourra stocker. En vous servant de n'importe quel logiciel de traitement de texte basé sur le système d'exploitation à disque (DOS), vous pourrez récupérer les documents et y faire une recherche de mots, les imprimer ou les sauvegarder. L'utilisation de fontes et points de caractères convenables vous permettra reproduire la version imprimée officielle. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

### **Renseignements sur l'Index**

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

### **Abonnements**

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.

### **Listes des député(e)s**

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et dans le numéro du premier lundi de chaque mois. Par contre, une liste des circonscriptions inscrites dans un ordre alphabétique et comprenant les responsabilités ministrielles paraît tous les lundis suivants.

Tuesday 27 July 1993

*Report continued from volume A.*

1814

EXPENDITURE CONTROL PLAN  
STATUTE LAW AMENDMENT ACT, 1993  
LOI DE 1993 MODIFIANT DES LOIS  
EN CE QUI CONCERNE  
LE PLAN DE CONTRÔLE DES DÉPENSES

Resuming the adjourned debate on the motion for second reading of Bill 50, An Act to implement the Government's expenditure control plan and, in that connection, to amend the Health Insurance Act and the Hospital Labour Disputes Arbitration Act / Loi visant à mettre en oeuvre le Plan de contrôle des dépenses du gouvernement et modifiant la Loi sur l'assurance-santé et la Loi sur l'arbitrage des conflits de travail dans les hôpitaux.

**The Acting Speaker (Mr Noble Villeneuve):** The honourable member for Simcoe West had the floor when last this bill was debated.

**Mr Jim Wilson (Simcoe West):** I'm pleased to have the opportunity for the next half-hour to resume the debate where I left off yesterday with respect to the NDP's Bill 50. It's entitled An Act to implement the Government's expenditure control plan and, in that connection, to amend the Health Insurance Act and the Hospital Labour Disputes Arbitration Act.

I began and ended my remarks yesterday on the theme of Dr Ruth Grier and Bob Rae and whether or not the people of this province trust the NDP to manage the health care system. In the estimates committee which just concluded some 15 minutes ago downstairs in one of the committee rooms, we had the minister responding to some of my concerns with respect to Bill 50, in particular the example of the delisting or limiting of psychoanalysis. It was an interesting discussion with the minister, where she began telling me that she didn't want to play physician; that she didn't think it was the role of government to decide when patients will receive treatment, to what extent that treatment will be, how often the treatment will be received, where that treatment will be received and by whom that treatment will be delivered.

She emphatically told me she didn't think that was necessarily the role of government, yet Bill 50 does exactly that. As I recorded yesterday, in a letter from the College of Physicians and Surgeons, Michael Dixon, the registrar there, made it very clear that this legislation for the first time in Ontario places the government, Bob Rae and company, between the patient and his or her physician. Bob Rae and company, as a result of this draconian power grab, Bill 50, will determine when, where, how and by whom medical treatments, medical processes will be delivered and received by patients.

Furthermore, this bill goes on to do a number of other things. It goes on to give broad powers for the government to determine what medically necessary treatments a physician or other health care professional in this province may deliver.

I guess my major complaint has been twofold: One is that if the government, the NDP, were in opposition today, I'm sure they'd be clinging from the rafters in this building and screaming at a Liberal or a Conservative government, whichever it would be, telling us that we had no business controlling physicians' lives to this extent, that we had no business denying patients of Ontario the right to medically necessary services.

To go back to the estimates committee, it's interesting, the minister telling me that she had no intention of determining herself or having her cabinet colleagues determine which services are medically necessary and should be insured under OHIP and which services should be delisted or not insured or paid for under the medicare plan. Yet a few minutes later, with respect to psychoanalysis, she indicated that the government had already made the determination that it was a non-medically necessary service and that is why it went to the Ontario Medical Association and the joint management committee and, as part of the government's proposal in the expenditure control plan, indicated to the medical community that it should be delisting or certainly limiting psychoanalysis in this province.

I understand now why there is a tremendous amount of confusion out there in the public when on one hand the minister says she doesn't want to determine whether or not a treatment is medically necessary, that she doesn't want to unilaterally do that but wants to do that in cooperation with the medical community, with health care practitioners, but on the other hand she has predetermined a number of cases with respect to eye examinations and psychoanalysis. The government has unilaterally predetermined that those may not be medically necessary, and that has been its negotiating position with the OMA.

It's unbelievable. That's a complete contradiction of statements by the minister. As I say, it's absolutely incredible, and it's completely understandable why there is mass confusion out there. On one hand, she doesn't want to play Dr Ruth; on the other hand, she does.

As I said in my remarks yesterday, I hope it's the end of the days of the NDP pretending that they're holier than thou. We've seen that in a number of issues. This House was just examining the casino gambling issue, where the NDP was totally opposed to casino gambling while it was in opposition. They certainly were opposed to this type of draconian legislation, Bill 50.

The intent of my remaining remarks today is to

simply ensure that the public understands that this is the end of medicare as we know it in this province and that the NDP government and Bob Rae are doing that to the people of this province without any input from the public. It's the lazy, hazy days of summer right now. They're hoping the public doesn't pay attention to this debate or to the passage of this legislation. The government will use its majority to pass Bill 50 in spite of the objections of the medical community, in spite of the objections of every person, every citizen, every taxpayer I've talked to with respect to this. I've not had anyone come up to me saying they want Bill 50.

**1820**

The minister says in her statements in this Legislature that Bill 50 is just a clarification of the powers already given to government in the Health Insurance Act. That is just absolutely bunk. It is not simply a clarification of the powers. This represents a huge power grab by the NDP government to determine what is medically necessary, to determine how physicians will deliver that service, to determine where and when and by whom those services will be delivered.

I think the public deserves to be heard with respect to this important issue, because that's not the way medicare was managed in the past. That is not the way the Ontario Conservative Party developed the medicare system. This is simply the government's expenditure control plan. We have seen the social contract, where the government has hit all health care professionals, nurses, hospital workers extremely hard with no really overall comprehensive plan in place in terms of management of the system.

Then we see Bill 50, the expenditure control plan, where the government says: "We haven't got time to talk to the public. We haven't got time at all. We're the New Democratic Party. We're Big Brother. We know how to do it. Trust us. We're going to cut your services through the cabinet process behind closed doors." Bob Rae won't be around in two years to fully appreciate the consequences of the passage of this legislation.

The Ontario PC Party will be voting against Bill 50. We think it's a tremendously draconian piece of legislation and one that would have driven the NDP absolutely crazy when they were in opposition. I'm sure they would have used every procedural trick in the book to try and prevent this debate had they been in opposition.

It's unfortunate that long gone are the days of the filibuster, when Mr Kormos, the member for Welland-Thorold, put that party on the map with respect to the auto insurance issue with his 17-hour filibuster. I suspect if the NDP were on the opposition benches today, they would be doing exactly the same thing with respect to Bill 50, because I dare say Bill 50 is the most significant and most serious piece of legislation that we've debated in this House.

It's unfortunate, and I've discovered through the

committee process and speaking with a number of the NDP, that they don't understand what the implications of Bill 50 are. Because it's so serious, their own government, the minister and the Premier have come out and said that Bill 50 is simply a fail-safe mechanism if we don't get the \$1.6 billion out of the health care system in terms of savings that the expenditure control plan calls for. They simply try to assure their back-benchers by saying: "Well, it's a fail-safe. We probably won't ever have to use it, pending the outcome of the negotiations with the OMA."

This is more than a fail-safe. Regardless of the outcome of the negotiations with the OMA, this power grab, this ability to decide everything in terms of medically assured services, in terms of physicians' services, in terms of payments to physicians, in terms of payments to all of those health care practitioners who bill OHIP, this power will remain on the books and it will be able to be used by successive governments.

I sure hope that when the NDP are kicked out of office—I'm confident now that they're at 16% in the polls, they will be kicked out of office in two years—

**Mr Chris Stockwell (Etobicoke West):** That's 13%.

**Mr Jim Wilson:** They're at 13% in the polls? We've seen a dramatic drop over the past 24 hours since I read the 16% poll.

But I sure hope that the next government takes an opportunity to undo what Bill 50 is doing to the people of Ontario. I suspect there will be delistings in medically necessary services. The government will unilaterally decide what those services are. It's already decided what those services are in terms of psychoanalysis and eye testing and a few other examples.

I guess what's worrying about Bill 50 is its massive powers across the board. The bill is written in such a general way that really the NDP could do anything. Yesterday I brought forward examples from the medical community saying that the NDP, at some point in the future, may decide that if you're not looking after yourself well enough and you need a medically necessary procedure—they may determine that because you don't look after yourself well enough, you haven't done enough preventive medicine in your own life, you won't be entitled to a medically necessary service down the road. That is the extent of the power that is contained in this bill, and it must not be downplayed in any sense.

I want to read from a letter of February 1, 1993, that was sent to an individual in the province by the former Minister of Health, Frances Lankin. In that letter she assured this particular person who was worried about the delisting or limiting of psychoanalysis that that would not be the case and that the government had received recommendations suggesting that it not delist or limit psychoanalysis, that the status quo would remain. I'll read the important paragraph. It says:

"A number of items that are not insured by some other provinces, including psychoanalysis, have been reviewed by a subcommittee of the JMC." That's the joint management committee, the government and the OMA. "Other forms of psychotherapy were not reviewed. This subcommittee has recommended to me that psychoanalysis be maintained within the fee schedule and that separate fee codes be developed to allow the ministry to more closely monitor the efficacy of and access to psychoanalytic services."

To me, that reads that the government will not move ahead and delist psychoanalysis or limit it in any way, yet in the committee hearings today with the minister, I could get no such assurance. Yet the previous minister sent out a number of these form letters to people who had written her earlier this year indicating that that was not the government's intention.

With respect to the overall feeling of the province, and particularly seniors in my riding of Simcoe West, I want to read the following letter by R. Brighty of Tottenham. It's dated July 1, 1993, and it's entitled "Open Letter to Bob Rae and Ruth Grier." It was contained in the Record Sentinel and the Times of July 7, 1993. It reads:

"There's a timeworn trick which has been used by every despot from time immemorial. A sure-fire way to cover one's errors, omissions and deficiencies is to divide the possible critics and set one against the other, but then, I don't have to tell you—you already deserve congratulations for your efficiency in this practice.

"In common with most Canadians I have concluded that development of this art is a prerequisite for politicians in general, but I stand in awe of your polished technique in its execution. In particular, I refer to your adroit footwork in your suggested (partly already implemented) 'streamlining' of the Ontario health system.

"You have brought seniors, 'gays,' low-income young families and other groups into direct confrontation with each other, effectively masking your own guilt in the gross mismanagement of resources. I, as a senior, believe emphatically that we should not be confronting each other—we should jointly be confronting you." He's referring to Bob Rae and Ruth Grier and the NDP government.

"The closure of hospitals, hospital facilities and services, and the removal of many drugs from the government-supported list cannot be justified by claims of reduced available funds while past government practices are maintained and continue to drain our dwindling resources.

"Your party"—and that's referring to the NDP—"has, in my opinion, recklessly squandered our money on projects and programs which are non-essential, non-productive and, in many cases, actually harmful to our

economy. Your lack of precautions against fraudulent use of the health scheme in the past, against overprescription by doctors, in fact against all abuses of the system, has been reprehensible.

"Your persistent implementation of the 'official' bilingualism program in a province which overwhelmingly neither wants nor needs it is a criminal waste of millions of taxpayers' dollars.

"I have paid into the health system since its inception, have paid taxes, provincial and federal, for almost 40 years, and now exist upon old age security and Canada pension payments. Having invested in a few RRSPs and having paid off our mortgage, I and my wife are in a far better position than many seniors.

"Yet I still feel the 'pinch' of now having to pay for many essential drugs while you people pass out grants to 'gay' 'arts' organizations, propose spending further millions of dollars for 'further education,' programs to prepare the untrained to compete with the trained for jobs which do not exist, and erect bilingual road signs on roads where only English is needed.

"Sir, Madam, I have paid my dues! And so have thousands of other seniors who, I hope and trust, will express their dissatisfaction and outrage at your incompetence at the next provincial election.

"May I wish you a happy Canada Day—as little as you deserve it."

### 1830

That's a fairly strong letter, an open letter to the Premier and to Ruth Grier, from R. Brighty, a good constituent of mine from Tottenham, who is expressing in a very forceful way the frustration of seniors in this province.

I tell you, Speaker, if the frustration is high now, it's going to be higher with the passage of Bill 50 and its implementation by this government, because this government, which at one time pretended to have a corner on compassion, this government, the NDP, which above all other people in the province claimed to understand the needs and concerns of Ontarians, this government, which said it would never do anything even resembling the contents of Bill 50, has done a complete flip-flop, betrayed the seniors and all the people of this province and is involved in a tremendous power grab to set unilaterally the medical services that will be received by the people of this province.

I tell the people of this province that with the passage of this legislation, it is the end of medicare as we know it, and I say that to the federal government, because it's going into a federal election and there will be federal party leaders on the Liberal and NDP side, and on the Conservative side, indicating that medicare is well in this country, indicating that there are no user fees in this country. I ask the federal government to wake up to the reality of what's happening in Ontario under Bob Rae's

government. There are user fees in the system; there are millions of dollars of user fees in the system. What we must do is have a debate on where those fees should be appropriately placed in the system.

Downstairs in the standing committee on estimates we're continuing to have an argument between parties on whether user fees exist. I say, my party says and every citizen in this province who has to pay out of pocket some \$150 million in new money this year that residents of long-term care facilities will pay to live in those long-term care facilities—the government calls it copayments. The government calls it accommodation costs. The people of this province call that an out-of-pocket expense, and that is a user fee.

We still in this province send poor people and street people bills for ambulance services to the tune of about \$180, which this government, by the way, through regulation increased shortly after coming to office. We still send bills to people for all kinds of services within our health care system.

Yet the debate, unfortunately, when you get on the campaign trail, seems to surround, do we have user fees or not have user fees? Ask anyone who's absolutely with it in this province, and that's every taxpayer in this province, other than the NDP and some other people in other parties. There are user fees that people pay out of pocket for what they consider to be medically necessary services, such as ambulance rides. It comes as a complete shock to people that they're sent a bill for those ambulance rides, and a very steep bill.

I say we have to stop sending poor people, low-income people, bills for ambulance services, bills for many other medical services, and we have to stop lying to people, we have to elevate the debate past whether or not user fees exist and we have to have the courage, as politicians, to go to the public, admit that there are hundreds of millions of dollars of user fees in the system now and ask people what they want to pay for, what they don't want to pay for, what they want their taxes to pay for, and the same debate must occur with Bill 50 with regard to medically necessary services.

The government must not be allowed to get away with this draconian power grab which says that Big Brother NDP knows best.

There's no room in this bill for consumer input. There's no room in this legislation, because it gives the cabinet regulatory authority to make unilateral decisions regarding your health care, regarding what services you're going to receive as a taxpayer in this province, as a resident of this province. There is no input for consumers.

We will have four weeks of committee hearings and we will do our best, during these summer days, to get as many people and residents of the province of Ontario to appear before that committee. But if it's like the

long-term care changes, Bill 101, there's a lot the government didn't tell us.

The government didn't tell us in Bill 101 with respect to user fees that those fees would apply in an extremely draconian way for those people in semi-private and private accommodation. Yes, there's always been a differential between the ward rate, the semi-private and the private rate in a nursing home or home for the aged or charitable home. That government, on many, many occasions, made it very clear that all seniors residing in long-term care facilities—nursing homes, charitable homes, municipal homes for the aged—would be income tested.

We found out, now that they've brought in their long-term care reforms, \$150 million in new user fees, additional fees on the backs of seniors, that those seniors, essentially stuck now in semi-private and private accommodations, will not be income tested. Thousands and thousands of seniors are being left out of the income test. I sat through a month of committee hearings, asked that question specifically to bureaucrats, to the minister, to ministry officials, and not once did the government ever come forward with that piece of information.

At one of my nursing homes in Alliston, the Good Samaritan Nursing Home, there is now a waiting list to get into ward accommodation, because the families can't afford the new rates in semi-private and private, where they're not entitled to an automatic income test to see whether they can afford the new user fees brought in by the NDP. That was misinformation by this government. It was misinformation and I use it as an example of how the public can't trust this government.

What the name of the game is in Bill 50 is Bob Rae, Ruth Grier, the cabinet and the NDP members saying: "Trust us. We know how to run your medical system. We'll do it. We'll do it behind closed doors. We don't particularly want to talk to the public." There's no room here for consumer input. They will decide what services, when, how, where and by whom you will receive those services.

The result has been that even though the bill hasn't passed, but with the anti-doctor, anti-professional attitude of this government—I read yesterday from Dr Wong from Windsor and a number of other physicians who have pointed out that it isn't necessarily the medical system itself that's driving them to the United States or out of this province. It's the attitude and the political reverberations that are coming from the government. It's the sour political mood in this province.

We see it in the business sector, where firms have certainly left this province in an unprecedented way since this government came to office, and we see it now in the medical and health care community, where they are leaving this province, where they are finding other endeavours to keep themselves busy and to earn a

living, and where in places like the village of Beeton in my riding it is almost impossible to attract new physicians.

Not only do we have the expenditure control plan, Bill 50, which reduces fees to physicians; we have the social contract. We all agree you have to cut costs, but the NDP at one time stood for consumer input. We hear a lot about stakeholders, but we don't hear the government listening. We don't see them acting on what they hear from the public. I plead with the government to withdraw Bill 50, to start over and to listen to the people of this province.

**The Speaker (Hon David Warner):** I thank the honourable member for Simcoe West for his contribution to this debate and invite questions and/or comments.

**Mr George Mammoliti (Yorkview):** I've sat here for the last half-hour anyway today and some of the member's speech yesterday. While I can't respond to a number of things, because of course I get only two minutes to respond, I'd like to touch on one particular area.

But before I touch on that particular area, I want to talk about the recommendations the member has made. You ask, what? What recommendations? No recommendations. What has this member talked about for the last hour and a half? The member has criticized, has done nothing but criticize. No constructive recommendations, and if I'm wrong, please tell me. I don't think I'm wrong. I did leave yesterday for a short period and I may have missed some recommendations that the member made, but I doubt it. I don't think he's made any. I'd like to criticize him for not giving us some constructive recommendations to deal with his concerns, as opposed to just saying: "Scrap it. Forget it. It's no good."

Yesterday, he talked about a doctor leaving the province and going to the United States. What appalls me is that he's asking this Legislature to be sympathetic towards a doctor who's going to the United States not because he feels—in my opinion, anyway, from what I've heard—that the system is in jeopardy, not because he cares for his patients, perhaps, but because he has some political views that are frustrating to him. I'm assuming that this doctor is a him and I'm also assuming that this doctor is going to stay in the United States once he gets there. I have a problem with somebody coming into this Legislature and asking all of us as members to be sympathetic towards somebody who feels a little uncomfortable because of the government of the day and moves away for a couple of years—

**The Speaker:** The member's time has expired.

**Mr Mammoliti:** —and then wants everybody to feel sympathetic and accept him back into the province whenever he feels fit.

1840

**Mrs Irene Mathyssen (Middlesex):** I too listened very carefully, and I feel compelled to comment on some of what I heard from the member opposite.

I would like to begin by saying that it is true that doctors do leave the province of Ontario. In fact, the average over the last 10 or so years has been about 200 doctors a year.

I'd like to tell you that of those doctors who leave, about 80% of them return to Ontario. They return for a number of reasons, one of which is the exorbitant cost of malpractice insurance that doctors are faced with in the United States; second, and I think more important, is because the private insurance industry, which finances health care in the United States, to a large degree, dictates protocol to those doctors. They're very intrusive in a way that would never be accepted here in Ontario, intrusive to the point where the restrictions create problems for doctors and patients.

For example, the insurance companies will only allow women to remain in hospital for two days if they're in having a baby, or if a patient goes in for gall bladder surgery, five days is the amount the insurance company permits a doctor to keep his patient in that facility. Very clearly, you've got insurance companies dictating hospital policy, and we would never accept that in Ontario.

I'd like to also mention that the Health Insurance Act in this province has always placed limitations. For example, your yearly checkup is supposed to be yearly; however, any person needing medical care has no restrictions placed on that need.

In terms of the limitations in the Health Insurance Act, those guidelines and recommendations coming from the joint management committee are done in an atmosphere of negotiations. There's nothing unilateral from the government. It is done by negotiations so that our health care will last.

**Mr Bob Huget (Sarnia):** I have listened very closely to the remarks of the member from the third party over the last couple of days, and I would have to say that although I didn't catch his full speech today, it certainly appeared to be, at the close of his speech, less abusive and insulting than it was yesterday, so I think perhaps we're making some progress.

I would have to say that for my constituents, the issue is not one of doctor-bashing or an attitude against doctors in the province; it's an issue of preserving a very important system. It's clear to me and clear to many of my constituents that there is a responsibility, and it's a shared responsibility, to ensure that we in fact are able to salvage a very important system in Canada and certainly in Ontario.

Health care is an issue that I think goes far beyond the buttonholing and labelling of individuals, the

stereotyping of individuals. Frankly, I take offence at the member from the third party, who would suggest that we have an attitude problem with doctors in the province. I consider that to be nothing more than stretching it quite a bit and fearmongering at best.

Frankly, I think members of my caucus understand that all of us have a responsibility to deal responsibly with a very important system, and that's health care. We expect doctors to take a share of controlling expenditures, we expect patients to take a share of controlling expenditures, and we expect government to take a share of controlling expenditures.

Certainly, I have never heard, nor do I profess to claim, that any one sector has all the answers, certainly not doctors, certainly not patients and certainly not government by itself. All I know is that without the concerted effort of all who participate in the health care system, be they patients, doctors or government, which administers it, without significant cost-cutting efforts and expenditure control efforts, the system itself is in jeopardy.

My constituents tell me they want health care and they want medicare in this province, and we're working to salvage just that.

**The Speaker:** The honourable member for Simcoe West has up to two minutes for his reply.

**Mr Jim Wilson:** It's interesting in the responses from the NDP government members that what they believe is what they believe, but it isn't reality.

The member for Middlesex says that insurance companies will dictate protocols, will then be in essence running—what did she say exactly?—"insurance companies dictating health care in Ontario. We would never accept that in Ontario." Well, the member for Middlesex has clearly never read Bill 50.

I read from two letters yesterday from people in the know, who made it very clear that that's exactly what you're doing. I also read from Bill Clinton, who comments that he's trying to move away from that in the United States. I made the point very clearly: Isn't it ironic that Ontario is moving towards the US system? When you delist psychoanalysis, or when you delist the unemployed truck driver who can't get a note to renew his driver's licence and has to pay \$75 to \$150 out of his pocket, or when you delist eye care, you then are in the hands of private insurers. They dictate the protocols, they tell the physicians and health care professionals how to deliver those services.

That's exactly the point. I'm glad the member for Middlesex recognized it, although she didn't recognize it in the mirror: She recognized that somebody else was doing that, but not the NDP. That is the problem with the NDP.

The member for Sarnia says that I seem to believe that the NDP has an attitude problem. It's not only me

who believes the NDP has an attitude problem; all the people I've talked to about this legislation, I'm sure the vast majority if not all the people who will appear before the committee hearings on this legislation, will agree that the NDP has an attitude problem. That's the attitude problem: You continue to believe stuff you invented in the Dark Ages, and it isn't true. The reason to have debates in this Legislature is for us to try to bring you into reality.

The member for Yorkview still owes Dr Wong an apology. Yesterday, the member for Yorkview said, "He can go to the US and he can stay there, as far as I'm concerned." Dr Wong is not alone. Hundreds of physicians have gone to the US. We are subsidizing the US health care system at \$2 million per physician, and that is wrong.

**The Speaker:** The member's time has expired. Is there further debate on this bill?

**Mr D. James Henderson (Etobicoke-Humber):** In arguing for reform of legislative assemblies in Canada, I have often made the point that an elected member must divide his accountability and his sense of duty between constituents, party and caucus, and personal conscience. I'm very pleased to speak about Bill 50 because it is an area in which all three of my legislative accountabilities propel me in exactly the same direction. This is bad legislation. It represents a power grab that would make Genghis Khan and Attila the Hun look like Neville Chamberlain, and it is an alarming precedent for health care in Ontario and in Canada.

A little over three months ago we learned of the government's expenditure control plan, which proposed \$4 billion in cuts to ministries within the government. This expenditure control plan was but one prong of the government's intended approach to cut \$8 billion from the projected \$17-billion deficit anticipated for 1993-94. A number of us who take an interest in health care matters saw the writing on the wall when we heard that the Ministry of Health was targeted for about \$1 billion in cuts.

The necessity for major restraint is clear. Any responsible legislative member shares this government's determination to get its fiscal house in order. We may worry a little that the government created some of the fiscal disorder it seeks to redress with its first budget proposing that Ontario and the Ontario government spend its way out of the then current recession. We knew that was faulty thinking. It is about as faulty as an individual or a family in debt proposing to spend their way out of indebtedness. You can borrow more and more, but that only leaves you with a larger and larger debt which may have to be paid off during times of greater fiscal stringency when the repayment of the debt is even harder.

So we saw the storm clouds back in 1990 and 1991 when we heard the government talking about spending

its way out of the recession. Nevertheless, we are with the government now, philosophically at least, as indeed the government is in some measure with us philosophically. I think that all three political parties at Queen's Park know that spending cuts are necessary and that somehow or other revenues must be increased by getting Ontarians back to work and creating jobs within our province.

We do not quarrel with the need to cut spending. Especially, we rejoice when we hear New Democrats talk about the need to cut spending, because that perhaps does not come easily to some of them ideologically. New Democrats, many people think, are the party of bigger government, and bigger governments spend more. It is a happy day when New Democrats rise in the Legislature to talk about the need for cuts in spending to reduce the provincial deficit.

#### 1850

So we are with the government philosophically in what it is setting out to do. We are not with you instrumentally, because we think that the Social Contract Act was a badly flawed bill which at best is deferring debt for a three-year period and will leave the next government of this province facing fiscal chaos in three years' time.

But Bill 50, an act to implement the government's expenditure control plan, is even worse. Bill 50 is a terrifying piece of legislation. Even Genghis Khan and Attila the Hun are shaking in their graves today.

Bill 50 will allow the government to decide which medical services will not be insured and will allow the government to pre-emptively delist from the OHIP schedule of benefits, without negotiation or consultation with the clinical authorities, medical and nursing and others, who know what is really going on in health care at the level of care of individual patients and who understand clinical treatment.

Bill 50 will allow the government to limit how much will be paid for a particular service according to the age, specialty or location of a practising physician. Bill 50 will allow the government to say that having your appendix out in Toronto is worth half as much as having your appendix out in Kapuskasing, or a quarter as much.

Worst of all, Bill 50 allows the government to refuse to pay for a medically necessary service offered by a licensed physician. The government may decide under Bill 50 how often an individual may receive a medical service in a given period of time and may arbitrarily dictate, without regard to the medical need of the patient, how and when and how often that is going to occur.

Bill 50 will allow government bureaucrats to decide how many times a doctor may perform a particular service under the plan, again without regard to the

medical need of an individual patient. Bill 50 will allow government bureaucrats to say how often a particular health facility or clinic can perform a certain service without regard to how many patients are requesting that service and without regard to the medical need of those patients.

In other words, government bureaucrats will be able to decide what services OHIP will pay for, how often it will pay for them, in what areas of the province it will pay for them, in what health care facility it will pay for them and by whom they must be administered. These draconian powers will cancel a patient's right to receive medical care as we know that right today.

What could this mean in practice? It could mean that coronary artery bypass surgery for people who are at risk of heart attacks or who have had heart attacks may not be available to patients over a certain age. It may mean that renal dialysis, a life-sustaining treatment for patients with chronic renal failure, chronic kidney failure, may not be permitted for patients over a certain age. It may mean that a child with health care problems will be permitted only one physical examination in a six- or 12-month period. Further examinations will be deemed redundant and will not be allowed under the OHIP schedule of benefits.

These changes may also mean that cancer patients may be permitted treatment only to a certain level of expenditure. They may mean that patients with illnesses which are life-threatening and carry a serious prognosis may be limited as to the cost of treatments that will be permitted to them, according to the prognosis of their illness. Patients with cancer or chronically disabling neurological illnesses who are not expected to make a complete recovery may find that the government bureaucrats, not their doctor, will decide how much treatment they are entitled to, given the unfavourable statistical outlook of their illness.

It is even possible that patients whose illnesses are prone to recur at regular intervals will find that they are permitted only one or two or a specified number of recurrences for treatment under the provincial health plan.

All this is terrifying and should occasion the most vigorous and powerful coordinated resistance among patients, health care advocates and clinical practitioners, including doctors and others in the province of Ontario.

Bill 50 was introduced without prior consultation or input from health care practitioners, especially not from doctors. Surely such a draconian piece of legislation with such far-reaching implications should at least be discussed with physicians and other clinical specialists, clinically trained people, before it is brought forward for legislative debate in this assembly. Surely in the field of health care our legislation has to make clinical as well as political and fiscal sense before it is brought forward for enactment.

There is a difference between legislation in the field of health care and legislation in many other areas. When ill-advised legislation is brought forward and passed in the field of health care, people die. It isn't just a matter of some fiscal disarray or program difficulty—people actually die. Surely the joint management committee of the Ministry of Health and the Ontario Medical Association, along with similar bodies coordinating dialogue between the ministry and such professions as psychology, nursing, chiropractic, social work and a variety of other fields, should have had an opportunity to inject a clinical point of view into the discussion for the need for fiscal restraint in health care matters in Ontario. The joint management committee of the Ontario Medical Association and the Ministry of Health was set up for precisely such a purpose.

I hope it is very clear that I am opposed to this legislation. Any decision to limit or curtail treatment must be made in consultation with doctors and other health care practitioners who understand the implication of that treatment and its withholding at the level of the care of a particular individual person.

Recently there has been some discussion of limiting the number of hours of psychotherapy which patients will be permitted to receive under Ontario's health care plan. During those discussions and in the light of several documents emanating from the Ministry of Health, it became very clear that the bureaucrats and politicians involved in these decisions did not understand even some of the very most basic fundamentals of the nature of psychotherapeutic treatment. I could tell you some alarming stories about that, Mr Speaker, but I will limit myself to only two references.

A so-called backgrounder put forward by the Ministry of Health on the subject of psychotherapy and psychoanalysis was full, and I mean full, of errors. When I say errors, I don't mean differences of viewpoint or attitudinal differences; I mean frank, bald errors, things that were stated that did not exist and things that were stated in such a distorted way that they showed a total lack of understanding on the part of officials of the Ministry of Health. That such a decision to curtail treatment should be made by people with that degree of ignorance of the subject matter of their decision is indeed alarming.

I think this is a good example of the menace posed by this bill, because as the members for Halton Centre and Simcoe West have observed, the ministry is threatening to delist psychoanalysis as an insured benefit in Ontario, despite the fact that the OMA-ministry joint committee, the OMA, the college, the chairmen of psychiatry in the various universities in the province of Ontario and, most important of all, the patients have been adamant that psychoanalysis is a medically necessary treatment.

I know, as a physician, that some psychiatric illnesses

respond well to medication and hospital treatment, but many do not. Many people whose lives are wrecked by the mental torment of psychological origin need and want the painstaking reconstruction and renewal that can be offered by psychoanalytic treatment.

#### 1900

What bureaucrat, what politician wishes to take it upon himself or herself to deny that anchorstone of our health care system? I mean the universal access to medically necessary treatment that we have guaranteed to the people of Ontario. What bureaucrat, what politician wants the right to deny that patient that medically necessary treatment? I speak with some personal experience in this area, and I am deeply troubled by what the ministry is proposing in this bill.

Second, a very senior cabinet minister within the NDP government was quoted as having said to a patient who was terrified about the curtailment of her psychotherapy coverage that she should try taking a medication called Prozac instead. That a politician or a bureaucrat would offer such a clinical judgement and a piece of clinical advice is alarming, not so much for its effect in this instance on that patient, because the patient was wise enough to dismiss the advice as a piece of political absurdity and certainly clinical absurdity, but rather because of the fact that politicians and bureaucrats are presuming to offer such counsel. That really does reflect their profound ignorance of the nature of clinical diagnosis and treatment, let alone the nature of the psychotherapeutic treatment they are seeking to curtail.

Bureaucrats should never be making medical decisions about what services are deemed to be essential or how often they can be received. Only doctors and other health care professionals with clinical training are qualified to make those kinds of decisions at the level of individual suffering people.

Government expenditures should not be reduced in this way without a very thorough analysis of what the cuts will do to individual people in Ontario. There is no place for slash-and-burn cost reductions in the health care of Ontarians and Canadians. If we do that, believe me, people are going to die. It is just not an acceptable form of cost reduction when we compromise the health and lives of Ontarians in the course of saving dollars.

I oppose this legislation as well because the government has not been forthcoming in explaining how it has determined which communities in Ontario are deemed to be underserviced and whether its approach to determining that nebulous notion of underserviced communities has validity. Rumour has it that the government figures used to determine whether the city of Sudbury, incidentally my home town, was underserviced counted as active practitioners several family doctors who are deceased.

This is an example of ignoring illness and death taken to its logical extreme, and I do not commend this kind

of thinking to anyone, let alone to my friends in Sudbury. A government that is bringing forward legislation like Bill 50 would have to find a way to ignore illness and death in order to collectively sleep at night, but I don't recommend it.

Finally, the government should not be attempting to discriminate against availability according to the age of the patient or according to the age of the practitioner without thorough discussion with the appropriate patient representatives and professional bodies.

I am fervently opposed to Bill 50 for all these reasons and will certainly vote against it. As a representative of the people of Etobicoke-Humber, I am opposed to it. As a member of the Liberal caucus of this assembly, I am opposed to it. As an individual, as a physician, as a parent and as a citizen, I am opposed to it. I am opposed to bureaucrats and politicians dictating matters that will undermine what will determine the availability of health care for individual Ontarians.

That prerogative to discuss and debate what treatment is going to be available, what treatment is appropriate for a particular person, is the prerogative of health care professionals. Health professionals in Ontario are among the finest in the world. They, not bureaucrats and not politicians, should be the ones deciding what kind of treatment is offered to a particular patient afflicted with a particular kind of suffering.

I have heard that the government is very determined to proceed with this legislation, but I hope that some cooler and wiser heads will prevail before this bill comes to a further vote. Genghis Khan and Attila the Hun achieved their own kind of infamy. Now let's let them rest.

I ask the government to back up on this one. Take a second look at this one. Genghis Khan and Attila the Hun are turning over in their graves. Let the voices of sober second thought prevail a little on Bill 50. Defeat it, lift it, withdraw it, amend it beyond recognition. Do whatever you have to do and save whatever face you have to save in the course of doing it, but don't pass this bill in the form or anything like the form that it now exists.

I know that the Minister of Health is a caring, committed, hardworking legislator. She and I go back longer than perhaps either of us would care to admit. I first knew her about a quarter of a century ago in the course of her work in Lakeshore when I was working as a physician in Lakeshore. I know she means well. I suspect she has got some bad advice or some bad directives in the preparation of this bill.

I would like to ask her to resist that advice and to resist those directives. I would like to ask her to wrestle with her conscience a little more on this bill. I know she would not want to ride roughshod over the rights of patients in Ontario. I know she would not want to

compromise clinical excellence in the way that this bill is surely going to do.

Ontarians are fine people. Our patients don't deserve to be treated in this way. Please reconsider, Madam Minister. The people of Ontario deserve no less.

**The Speaker:** I thank the honourable member for Etobicoke-Humber for his contribution to the debate and invite questions and/or comments.

**Mr Frank Miclash (Kenora):** I would just like to congratulate the member for his comments. I must say that we not only heard from a member of the Legislature but a professional in the field, and a professional who's very close to the patients here in Ontario. I think the member brings forth some very good points on the actual scariness, if I could term it that way, of this particular legislation.

He indicates that now we're going to have politicians and bureaucrats decide, and I think what makes it even a little bit more scary is that these are going to be NDP politicians and the bureaucrats hired by these politicians, as was given in the example earlier today by one of the members asking a question. For any medical advice to come from anybody but a professional such as the doctor in the House or any other professional across the province, I think can be fairly scary, and people have to stand up and take note.

As the member has indicated, we know that the minister is a very caring person and a person who I know will take another close look at this legislation and take a look at where it can be made to fit into what we know today as being a world-class health system here in the province of Ontario. We have been known around the world as a very high quality place when it comes to living conditions. I tell you, if this legislation is to go forth, as the member has indicated, this could actually bring down those standards in terms of medical care throughout the province.

You really wonder when you take a look at places across the province—and I speak of places within my riding, Ear Falls, Red Lake—about having any kind of a question at all in terms of whether they should be underserviced or not. I just cannot believe it. The minister could not have been to any part of this province when she could actually say that.

Again, I do hope the minister takes particular note of a member of the Legislature; not only that, but a professional very close to the health care system in Ontario.

**The Speaker:** The member for Etobicoke-Humber has up to two minutes for his reply.

1910

**Mr Henderson:** I won't need two minutes. I want to make only a couple of observations.

Ever since universal health care came into the province of Ontario, clinical people in Ontario have been

frightened. They've said that whatever step was taken to move us towards a universal, comprehensive, government-sponsored plan was but the thin edge of the wedge, and that we would end up with a bureaucrat-driven, politically driven health care system instead of a health care system that was driven by the clinical needs of people.

For the most part, I have not felt that so-called medicare in Ontario has been like that. I think we have moved forward to guarantee accessibility and to set up a comprehensive plan in a way that for the most part has not compromised clinical excellence, has not done any harm to the good things that were achieved in health care prior to the 1960s when medicare came into the province of Ontario.

I think that's changing now. I think this bill, perhaps following on a couple of others that came a little earlier in the last few years, really is demoralizing clinicians, and demoralized clinicians do not do good work.

I was very pleased, as I was speaking, to notice that there was a kind of transition from the lively chatter that so often greets us when we stand in this assembly and try to offer reflective and serious comments on some piece of legislation. There was a transition from lively chatter to quietness. I only want to express the hope that this quietness reflected thought, and that indeed some further sober second thought will go into further consideration of this piece of legislation.

**The Speaker:** I again thank the honourable member for Etobicoke-Humber for his contribution and invite any further debate.

**Mr Robert W. Runciman (Leeds-Grenville):** I appreciate the opportunity to participate in the debate on Bill 50. Someone from across the floor, when the previous speaker was commenting on the decorum in the House, said, "They're all afraid of physicians." I won't identify who said that, but I think there's a lot of truth to that, having been around this place for 12 and a half years. In some respects they are, if not individually, collectively a somewhat influential force—perhaps not as much as they'd like to be, obviously, given this legislation and some of the pieces of legislation we've seen brought forward in earlier years, in earlier governments.

My party, the Progressive Conservative Party, is opposing this legislation. I relate this to Bill 48. Of course we did support in principle the goals of Bill 48. With Bill 50, we feel that as a responsible opposition we have to flatly reject what we consider to be an ill-conceived initiative on the part of the government to save dollars to the detriment of the health care system.

Any cost restraint measures aimed at the health sector must allow us to preserve the system, not dismantle it, and the Progressive Conservative Party will not be able to support Bill 50 because it holds this potential.

Through Bill 50, the government is seeking sweeping and unilateral powers to limit, reduce or restrict health services across the province. Under Bill 50, bureaucrats in essence become the chief medical officers of health by being able to determine who gets what treatment and how often they're able to receive it.

I'm not going to speak at length or in detail of our concerns about this legislation because our critic, Jim Wilson, the member for Simcoe West, has done an outstanding job in this House detailing how members of the Progressive Conservative Party feel in terms of the specifics of this legislation.

*Interjection.*

**Mr Runciman:** I want to say that I was approached by one of the whips of the NDP in terms of exercising restraint and not calling quorums so that members of the NDP could eat their dinners during this evening's sitting, but I'm now being heckled or hassled by the member for Cochrane North. We're going to be loath to continue that agreement, that exercise in decorum, if we have to deal with that sort of effort at upsetting opposition members from getting their views on the record in what is indeed a very limited debate, based on agreements between the leaders of all three parties.

I said we're concerned with the principle of this legislation and what the government's attempting to do. We're not doing this for any political gain, I can assure you of that, because based on the experience of this party, most of us who were around here in 1986 anyway, in terms of counting on physicians and their ability to judge their friends, our experience has been less than a positive one.

If you look back to 1986 and the extra-billing legislation brought in by the NDP-Liberal accord, the Conservative Party was the only party to oppose that on principle. We felt it was wrong for health care in this province and we believe that has been borne out by the history of what's transpired since that ill-fated legislation passed by the NDP-Liberal accord.

But I can also recall for you the results of the 1987 election. Certainly, from a Conservative perspective, there wasn't a physician in sight during that 1987 election. We dropped from 50 seats to 16, so I don't think anyone could accuse the Progressive Conservative Party of taking a position in opposition to this kind of legislation, which the medical community also opposes, for political reasons. We're doing it simply because we believe it's bad for the province of Ontario and it's bad in the long term for the health care system that we all have to live with or try to live with.

I want to talk a bit about some of the problems that exist in terms of the medical community and governments and the public. The previous speaker, who is a doctor—a practising psychiatrist, I understand—made reference to universality and the onset of medicare. I

think some of the problems in terms of the public perception of the medical profession started to develop with the growth of universality and easy access to medical treatment and the fee-for-service process under which doctors operate with the Canadian medical care service.

I can go back to my early days when doctors in my community made house calls, when doctors were certainly held in esteem in the community, made a reasonably good income, worked very long hours, were very much involved in a host of areas and were always there to help, were always there when they were needed. I'm not saying that many doctors are not like that now—I'm sure there are many—but I think to a significant extent people look into the communities now and see doctors, for the most part, who refuse to make house calls, who are by far the better-off members of most communities.

I can look at my own community. When we look at waterfront properties, who drives the best cars in the community, who belongs to the squash clubs, who has the finest memberships and so on in golf clubs, we can bet dollars to doughnuts that it's members of the medical community. I think they have all, for the most part—I can't use that word "all"; I'm sure there are exceptions to this. But the perception out there with the public is that they've done very well indeed through the process of universal medicare and the so-called free medical services provided to Ontario and Canadian residents.

They have, for the most part, not done anything to deal with that growing perception and the fact that there are so many people who have very little sympathy for the concerns on which doctors now are spending, through the OMA, \$3.3 million in an advertising campaign to try to get their message across that they believe Bill 50 is a bad piece of legislation and is going to hurt all of us over the next number of years.

#### 1920

The \$3.3 million, I gather, comes from a special assessment on physicians of \$200, and there may be other elements of that \$3.3 million, but of course the argument can be made that all of those dollars are public dollars and that in effect it's an indirect form of taxation that's paying for an advertising campaign which I think is falling on deaf ears. Really, very few people are paying attention to the advertising the OMA is putting out. I suppose it's providing employment to advertising consultants and public affairs specialists, and in that sense, it's good. But I think it again reinforces the message that physicians believe they are above the fray and that they're going to, through some magic potion—that \$3.3 million indirectly taken out of taxpayers' pockets is going to pay for the overthrow of this government. I simply don't think that's the case. Those funds could be used for much better purposes.

We could even look at the total budget of the OMA and raise questions about that, and maybe at some future date I will. I know we are all going through a salary reduction process in this place. Staff, all public servants, are going through it. I know there is a negotiating process under way with the medical profession.

I suspect if you take a look at salary increases, staff increases, at the OMA level, that probably is on a par with what's happened in the public service during the Liberal-NDP days, when the public service was fattened; I think, during the Liberal days anyway, 8,000 new civil servants, and I don't know how much the growth was during the three-year tenure up to this point with the NDP government, but I suspect you'll see comparable growth at the OMA.

Their revenue in 1991 was \$16.3 million. One element of that was \$2.5 million in retroactive dues which were part of the OMA entering into this agreement with the NDP government. This in effect was a modified Rand formula, which all of the unionists in the room will understand, whereby an individual doesn't become a member of the union but is obligated to pay dues to that organization. In this case, there are something like 26,000 physicians in the province, apparently; I'm told 23,000 of them are members of OMA and about 3,000 have decided not to join, for a variety of reasons, but they're still compelled, still obligated under this agreement, to pay dues. I think that was a significant carrot in respect to the OMA entering into this accord with the NDP, or, as Barbara Amiel described it, "getting into bed with the crocodiles." I think she was dead on. I agree with Ms Amiel on that. I agree with a lot of things she's said in the past. There are a great many things about Ms Amiel that I find appealing.

The reality is that they're now paying the price to some degree for placing their trust in the NDP government and for becoming in effect a union and finding out that this government does not respect collective agreements. They fell for the carrot in 1991, and now, to some significant extent, they're starting to pay the price. What the long-term message is, I'm not sure, but I think there are problems out there that doctors have to come to grips with.

I want to quote a column from the Toronto Star of July 3, 1993, by Tom Walkom. He's talking about the critique of private-practice medicine:

"Because most charge a fee for each service rendered, doctors are virtually able to create their own business. If government limits their fees, doctors simply see more patients."

"So lucrative is medicine that the field has been flooded with new entrants. The ratio of doctors to population in Ontario has skyrocketed."

"Previous governments have tried to address this," and we know that.

Even though the government entered into agreement in 1991 in terms of trying to control health care spending, Michael Rachlis has pointed out that during that one year following the agreement, payments to doctors rose by a staggering 9%; 9% in the year following the agreement with the government.

So clearly there has not been a recognition among the profession in terms of the concerns of the public, of the government and, I would assume, all political parties in this province about that one element of health care costs and making efforts to get it under control, when you look at a 9% increase in one year, when you consider what was happening to the Ontario economy in the broader, bigger picture.

I have a couple of things I want to mention here as well and get them on the record. There are a number of things that can be done, and I want to put a few things on the record from a group called the College of Family Physicians, whom I have never heard of, really. This is an article written by Dr Gary Gibson, who is a family doctor in Cambridge and professor of family medicine at the University of Western Ontario. I want to put a few of the things he has to say on the record a little later, but I want to put a personal thing in here in respect to an experience I had a couple of months ago.

I went to a walk-in clinic in downtown Toronto because I was having problems and couldn't determine what it was; I thought I had the flu or something. The doctor there didn't know what the problem was, but he prescribed penicillin. He thought I had some sort of flu bug that wasn't going to go away, so he gave me some penicillin. Well, I took the penicillin, and it didn't help the problem; in fact, it seemed to aggravate it in terms of high temperature and so on.

So I ended up going back to this doctor. I was in quite a severe state. I had been under the weather for two or three weeks. I went back to this walk-in clinic, and the doctor gave me another rather cursory examination and said, "I have a new state-of-the-art medication I'm going to give you called Rocephin," a very powerful medication, state of the art.

So I took a shot of this and then went off on a weekend holiday and, still feeling rough, woke up the next day covered with a rash from head to toe. I was in the United States in Lake Placid. I'd had a bad drug reaction. I went to the emergency clinic in Lake Placid, in very bad shape, with a rash developing quickly over all of my body.

A fellow came in whom they'd addressed as "doctor," and within 45 minutes he found out what was wrong. He was very much concerned about the fact that this Canadian doctor had prescribed Rocephin without even knowing what my problem was. He showed some clinical evidence to prove that this has had some instances of causing death in the United States. This doctor had given me a shot of this in the butt and sent

me on my way. A doctor in the United States—I called him a doctor—in 45 minutes they had found out what my problem was, and they corrected it very quickly.

Talking about OHIP, I got a bill a couple of weeks later. You know what that fellow charged me for the medical services? Forty-seven dollars. I found out later that this individual was not a physician. He was something called a physician's assistant. A physician's assistant can do practically anything. They are licensed to perform approximately 70% of the clinical procedures routinely performed by licensed general practitioners.

So we phoned Albany and the Department of Health in the United States just to get a little information on this program. It started in 1971. The program continues to expand in 1993 because of the need for more primary care practitioners. Now in the United States only a handful of states don't have physicians' assistants. Doctors support the program wholeheartedly because it allows for general health care to be more widely available, especially in more remote areas.

It is estimated that physicians' assistants can do 70% of the clinical procedures. PAs can do anything a doctor can do, but their supervising doctor is responsible for their actions. They can work in a speciality such as urology, but the majority of them mostly work in internal medicine, paediatrics, obstetrics and gynaecology. Their duty is to obtain complete medical histories, perform physical exams, order diagnostic lab tests and interpret the results, perform therapeutic procedures and respond to common emergencies. For example, a paediatrician uses a physician's assistant to screen out the colds and sniffles and the paediatrician is left with the more serious cases.

#### 1930

The training is a four-year program, often with some college-level courses in science and clinical background experience, and often it's nurses who apply to upgrade to become physicians' assistants.

There are two reasons why it evolved. There was a great need for, as I said, primary care givers in New York state and there just weren't enough doctors to go around, and the need continues. I don't think we can make the argument in Ontario that there are not enough doctors to go around. There's an argument, and probably a pretty valid one, that we have 4,000 to 5,000 more doctors than we need in this province; at least some would make that case.

When you look at the average billings right now of a family doctor who bills OHIP, it's an average of \$210,000—that's the figure I was given—and an extra \$250,000 to the health care system for drugs, tests and hospital stays, so it's close to a half-million dollars per doctor that it costs the health care system in Ontario. The cost of physicians' assistants: Currently in New York state they're earning between \$45,000 to \$50,000 per year.

It's good to see the Minister of Health in here, because I want to tell her I'm introducing a private member's resolution tomorrow calling on the government to look at the whole question of developing the concept of physicians' assistants in Ontario, because I think it could have a significant impact on health care costs in this province and certainly address some of your concerns and our concerns in respect to health care costs.

The physician's assistant I dealt with in Lake Placid could even prescribe medication. They have a significant range of responsibilities. I was most impressed with the individual treating me, unlike the guy wearing cowboy boots with a host of medallions who gave me a drug that was primarily untreated in the province of Ontario and has resulted in some deaths in the United States. That's the kind of treatment I got here in Ontario: give him a shot in the bum and kick him out the door and charge OHIP—who knows?—200 or 300 bucks. I get down there and they charge me \$47 and found out what was wrong with me in 45 minutes, after visiting a clinic here twice, and quite ill indeed.

**Mr Mammoliti:** Mail-order drugs.

**Mr Runciman:** Mail-order medication? That's an appropriate suggestion from one of the backbenchers of the NDP: mail-order medication. Mail-order health care treatment, I gather, is what he's suggesting.

**Mr Mammoliti:** Mail-order drugs.

**Mr Runciman:** Oh, mail-order drugs. I don't know. You'd better talk to the Minister of Health about that.

I mentioned that I wanted to put on the record a few comments of Dr Gary Gibson, the professor of family medicine at the University of Western Ontario. He's expressing concerns about the future and doctors choosing the appropriate way to go. I'm going to quote some of this.

"I despair that our provincial and national medical associations appear as lacking in insight and candour as the political leaders we criticize. The College of Family Physicians alone has been talking publicly about some of the real issues.

"We have a tremendously well-funded health care industry in Ontario (and Canada). Only the United States spends more on health care than we do; we spend more money per capita for doctors in Ontario than any other province and nearly double the level in the maritime provinces.

"And we waste enormous amounts of money on useless services, tests and treatments—obscene amounts when compared to the medical resources available to most of humanity on this planet."

He talks about a whole range of concerns. He makes the point that most medical schools don't formally teach their students even to look at issues of cost-effectiveness, although he makes the point that Western does. In

some of the examples where they have data: "Cholesterol testing and treatment is totally out of control in North America.... Looked at critically, the health benefit to most patients is very minimal or unproven. The costs are staggering. The long-term side-effects of the newer drugs are unknown."

He talks about the OMA's own study, showing that "more than \$200 million in fees under Ontario's health insurance plan is paid annually for 'colds.' These are quick, easy visits for the doctors, often ending in an unnecessary prescription. Patient education on self-treatment is the only treatment needed."

He mentions: "Ultrasounds for normal, low-risk pregnancies are probably of no value at all, but we now average more than two per pregnancy in Ontario and the accepted standard of practice requires them to be done. Patients often insist on them. The cost is about \$25 million a year.

"In parts of Europe, doctors don't give antibiotics for ear infections because there's so little difference in recovery time, and complications with treatment."

I said I was prescribed initially in my visit to a clinic in Toronto an antibiotic which did nothing but aggravate my problem, and then on my further return issued a new experimental antibiotic which caused a severe drug reaction. As I said in making reference to the easy dispensation of drugs, especially antibiotics, I can attest to the validity of this concern being expressed by Dr Gibson.

He mentions: "X-rays for minor injuries have been shown to be grossly overordered. Medico-legal concerns are the usual rationalization. But the medical profession should set the standard by example—not the courts, not malpractice insurance companies and not patients.

"Routine mammography, with our current incomplete understanding of how breast cancer behaves, has been shown to be a value only from age 50 on, and probably needs to be done only every two years. Those who support younger and more frequent screening often have vested interests."

I can't comment. I know there has been some concern expressed about mammography testing just in the last few months, about its value and in fact the dangers it may indeed pose.

"Standard back and neck X-rays for strains and 'disc problems' are useless and unnecessary. Doctors know that, but they very often do them anyway. Patients expect them, physiotherapists expect them, courts expect them, the Workers' Compensation Board expects them.

"Most components of a traditional annual checkup are of no proven value, and checkups of well babies can be done by adequately trained nurses."

Again, the doctors are loath to delegate those kinds of responsibilities to anyone other than themselves, for who knows what reasons. If they're monetary, that

could be one element. There could be other concerns; I'm not sure what they might be.

"The current fee schedule has doctors locked into outmoded practices."

He talks about walk-in medicine. I assume this is like the clinic I walked into down the street.

"Walk-in medicine' creates very significant duplication of services. A large proportion of patients go to their own doctor the next day to be doublechecked. In some communities, family doctors encourage patients to go to walk-in centres or emergency departments out of hours."

Summing up, what Dr Gibson is saying is: "The entire mindset must change. Medical schools must routinely assess the true value and costs of new treatments and technologies.... Individual physicians must learn to make cost-effective decisions.... Patients must be taught what is good care and bad care, both for them as individuals and for society.... Governments must look beyond crude, bottom-line control measures.... Payment systems must encourage wise choices.

"We need effective incentives and motivations built into the system to achieve the needed shift, and we need leadership to achieve that. That is the profession's responsibility. Where is the leadership?"

Effectively, Dr Gibson is bemoaning the lack of leadership within the medical profession. He's not jumping at the throats of politicians or others; he's bemoaning the lack of leadership within the profession itself. Hopefully, these are the kinds of comments that the Minister of Health will pay heed to and perhaps even take the time if she hasn't already, to sit down with representatives of the College of Family Physicians and discuss their ideas and concerns, because they strike me as very valid. Certainly Dr Gibson is a respected professional, as I said earlier, a professor of family medicine at Western.

#### 1940

Our critic, Jim Wilson from Simcoe West, has outlined most eloquently, most emphatically, most energetically, most enthusiastically, in a way only he can do, because he is so strongly wrapped up in health care issues, his genuine concern for the future of health care in this province.

As I said, we are not here to represent any political interest or the interests of any professional group. We're here because we believe Bill 50 is wrongheaded legislation. Over the long term, it's going to do more damage than good.

Obviously, in the views I've expressed today, I believe changes are necessary, and I am certainly one who believes that changes within the profession are very much called for. Over the years, I've been one who has on occasion expressed concerns about the profession.

But at the same time I do not believe in the heavy-

handed approach of this government and its predecessor, the Liberal government, and certainly not in what happened in 1986 with the ban of extra-billing. I think that just aggravated the problems and pushed us further along the road to socialized medicine in this province and had the effect certainly of driving specialists out of this province, as most of us feared it would have.

When you look at some of the world-class people who have moved to the United States—I can't think of the name of the individual a year or two ago who was at the Hospital for Sick Children and moved to Texas, was provided with funds and a whole range of attractions which made it irresistible for the individual to stay in Ontario—

**The Acting Speaker (Mr Dennis Drainville):** I thank the honourable member for his participation in the debate.

**Mr Runciman:** Mr Speaker, thank you very much for listening to me. Again I want to express our concern, the Progressive Conservative Party's concern, about Bill 50 and where it will take this province.

**The Acting Speaker:** Questions and/or comments? The honourable minister.

**Hon Mrs Grier (Minister of Health):** I just want to comment on some aspects of the member for Leeds-Grenville's remarks. I certainly agreed with much of his analysis of the situation and certainly have appreciated his view that change was needed. I hope his recognition is that if we don't attempt to change the system, then we run the risk of the system becoming so overwhelming to everything else that government in this province does that we are unable as taxpayers to afford it.

I also very much appreciated his argument that the profession had to be part of the changes and had to be part of assistance in helping to protect the system.

I wanted to particularly comment on his descriptions of physicians' assistants in another jurisdiction and to say to him that I entirely concur with the philosophy that there are a lot of other professions within the health care system that have a rightful role to play and that, by being allowed to play that rightful role, can assist us to contain the costs and to also improve the quality of care.

While physicians' assistants are not something with which we've had experience in Ontario, nurse practitioners, who are very similar, are a profession or an extension of the nursing profession that I think we have come to understand in some communities, can play an extremely important role in assisting doctors and in preventing overuse of physicians, because the services that nurse practitioners provide are preventive, are educational and are for those who are well as opposed to treating those who are sick.

I regret that the member and his party object to Bill 50 and will not support it. Let me say to him that we

view Bill 50 as a tool to enable us to make the changes that he agrees are necessary.

**Mr Huget:** Just very briefly, I too would like to congratulate the member for Leeds-Grenville on his very thoughtful speech. He and I don't agree on many issues, but I think we agree on the need for change as it relates to health care. In our society, in Canadian society, for too long we have assumed, and I think wrongly so, that spending more gets more, that spending more money necessarily gets better-quality health care. I believe that's not true now, nor was it true in the past.

I think there are some fundamental changes that we as a society will have to deal with when it comes to the funding of health care in our society. I sometimes get the feeling that people are afraid of change more than anything else. I think the issue of initiating change and initiating reform so that we can have a system that works well and survives causes as much anxiety as some of the change itself. I'm of the view that real change in health care and other areas will not take place until the cost of staying the same becomes higher than the cost of change. I believe we are now in a situation where the cost of staying the same is higher than the cost of change.

I look forward to the day when hospital administrators, nurses, professionals, politicians and consumers can sit in one room and agree on the need for all of us to change and work towards a sustainable system.

**Mr Randy R. Hope (Chatham-Kent):** As I listen to the member opposite talk about his experience in the United States, there is a serious question I wish to pose to him. As he talks about financial accountability and accountability to the taxpayers of this province, I would seriously ask the question to the member opposite, because I know when he was probably in the United States, as he went in there they were asking, "How are you paying for this, Visa or MasterCard?" Then, after having the work performed by the physician—or the PA he referred to it as—he went to the cashier and paid. There must have been a justification for the services that were done.

I'm wondering if the member, who I know was actively involved in the insurance issue, would not maybe agree that what we need to do is make sure that the services that are performed in the province of Ontario, the services that are rendered for an individual, must be verified by the individual before the insurance is paid for that individual. I'd just like his viewpoint to that effect.

**Mrs Barbara Sullivan (Halton Centre):** I was interested in hearing the remarks of the member for Leeds-Grenville as I found that on several occasions his content differed substantially from that which was being put forward by his colleague the third party critic for Health. I'm sure that within their own caucus they are going to want to iron out some of the differences in

their points of view. I'm sure that the Ontario Medical Association will also be very interested in the lack of consistency in the direction that has been presented.

I think one of the aspects, however, which the member raised, through quotations from an article which described certain procedures and quoted, I believe, a physician who was making individual recommendations with respect to certain aspects of practice, including pregnancy screenings and so on, was one of the very problems with Bill 50, and that is the point of looking towards parliamentarians and ministry officials and the Minister of Health and cabinet to make decisions the basis of which ought to be made upon the recommendation of, and after complete clinical evaluation by, the medical profession itself. I think that relying on the kind of information that is transferred through newspaper articles to this place is wrong.

I do not believe the Minister of Health should have the power or any increased power to intervene or to determine what is medically necessary, and particularly to do that without consultation with the profession. To that extent I certainly disagree, particularly with the remarks of the member for Leeds-Grenville.

**The Acting Speaker:** The honourable member for Leeds-Grenville has two minutes to make a response.

**Mr Runciman:** In response to the last speaker, the Liberal Health critic, what she's talking about in terms of the proposed changes that I quoted in terms of a newspaper article: exactly. What the author was calling for was the involvement of physicians. It was a physician calling out for leadership within the medical community. He wasn't calling for politicians or others to make these kinds of decisions. He was calling out for leadership, and I was simply endorsing that call.

One of the government members mentioned getting a list of services provided. In my experience in the United States, indeed I did get a list of services prior to payment. In fact, when I left the hospital, I didn't have to pay. I just told them I was a Progressive Conservative and they trusted me. They sent me a bill and I paid by cheque two weeks later.

The other element I simply want to mention briefly: The Minister of Health drew an analogy between nurse practitioners and physicians' assistants. I appreciate what she's saying, but the reality is that nurse practitioners are very limited by the law in terms of what they can do. When you take a look at the comparable responsibilities of a physician's assistant, there's really a significant difference there.

As I said, I'm introducing a resolution tomorrow to encourage the government to take a look at this concept and the possibility of introducing it in Ontario, because I think it could not only have an impact on health care costs, but address the concerns in those remote areas that are not getting the service they require today.

**1950**

**Mr Sean G. Conway (Renfrew North):** I'm pleased to follow my friend from Brockville, from Leeds, who I thought made a very interesting set of comments. Part of the member's charm is his idiosyncratic quality. I thought he was true to that tradition today. While I certainly don't agree with everything he had to say, I thought there was a refreshing candour about some of his observations.

I'm pleased to have an opportunity to speak to the debate about Bill 50. I'm also pleased to see the current Minister of Health and a former Minister of Health and a few other people who know something about the Health department. As I listen to this debate, I'm reminded of one of the most interesting experiences I ever had in this assembly, and that was I guess now about 15 years ago participating under the able leadership of Dr Robert Elgie QC as a member of the select committee of this Legislature dealing with health care costs and financing. Fifteen years after we concluded those deliberations, I look to Bill 50 and I certainly see some of what was predicted now coming to pass.

I know the member for Ottawa Centre would be interested in this, if not in much else I have to say, but a few weeks ago I was privileged to be in an assembly hall in my community of Pembroke to hear the redoubtable Dr Jane Fulton of the University of Ottawa. She's becoming quite an international spokesperson on the subject of health care. I find her very interesting, very stimulating, extremely provocative. I would say on that night she was positively blistering in her comments about the establishment, which I think she would characterize as predominantly male and predominantly institutional. Boy, it was a very interesting presentation. I would recommend to all members, if they haven't had the opportunity to hear Jane Fulton on these subjects, that it's really very worthwhile.

Again, like the member from Brockville, part of her charm is her idiosyncratic personality. I left that meeting with a higher blood pressure than I thought I was capable of achieving, but it was very stimulating none the less.

*Interjection.*

**Mr Conway:** Pardon me?

**Hon Mrs Grier:** Worse than question period?

**Mr Conway:** Jane Fulton actually appeared one night about a year ago on a fabulous PBS forum on public health, I think at Harvard University, where she was debating, and I thought extremely successfully, a number of the principal luminaries in the world of managed care in Bill Clinton's America.

As I listen to people talk about what changes in Ontario might do in terms of forcing people out of this jurisdiction, there's no doubt that this pressure continues to be there. It's been there for as long as I've been in

this assembly. I can remember periodic exodes, if that's a word. It probably isn't. I'm failing my Latin.

**Hon Mrs Grier:** Exodi.

**Mr Conway:** Exodi. Pat, will you check that out?

**Hon Evelyn Gigantes (Minister of Housing):** Exits.

**Mr Conway:** Periodic exits of the profession over the course of the last number of years.

We do, I think, have to be concerned to ensure that in whatever change we seek to effect in health care programs and their delivery, we have as high a degree of support and participation from the leadership of the traditional professions. Though we might like to lash out at the medical profession, it is I think unreasonable for any of us to imagine that in Kent county or in Renfrew county or in Ottawa or in Etobicoke, we're going to be able to manage the kind of change that the member for Sarnia I think rightly points to as necessary without the active participation and support of the local medical associations, the nursing community and everyone else in the health care field.

I thought it interesting, in some of the public opinion research that was released recently—I think it was the Environics data—that this certainly does seem to be a very strongly held view in the Ontario community of 1993. They understand the need for change, but certainly in the health area, they fully expect that the medical profession is going to be involved in a very significant fashion.

I want to address my comments tonight to this Bill 50 from the point of view of someone who represents rural, small-town, eastern Ontario. As most of you know, my constituency is in the Ottawa Valley. Our principal community for health services is the city of Pembroke, but if the truth were told, our principal principal centre is the national capital. Most people in my constituency are referred either into the city of Pembroke, and if it is for any kind of major treatment or care, as often as not, that individual will find himself or herself being transferred down to the various facilities in the national capital.

There is no question that there are some problems we have to address, and I think it probably is a fair criticism of the incumbent government to say that some of these matters ought to have been addressed by earlier administrations. I can say without much fear of contradiction that in the area of, let us say, medical manpower, the marketplace is not working, that it hasn't been working for some time.

I don't think we can much longer allow a situation to obtain such as we have in the county of Renfrew. I wasn't able to confirm this today, but I think using the ministry criteria, our population of some 85,000, in a very large, rural, small-town community running from the town of Arnprior, ably represented by my friend from Lanark-Renfrew, all the way up to the Nipissing

line just about 10 miles east of Mattawan, across to the Algonquin Park communities of Whitney and Barry's Bay, which is in the west part of Renfrew, has I think currently 1.5 psychiatrists, well, well below what is required. It is an ongoing scandal, quite frankly, for which the profession must accept a measure of responsibility and for which those of us in elected office must equally accept responsibility, and I accept my share.

I have listened for weeks and months and years to health care providers, hospital board members, hospital administrators and others say, "When are you going to do something about increasing the number of psychiatrists serving Renfrew county?" and the situation is getting worse, not better.

I would say to my friend the Minister of Health that I am, as one member, prepared now to consider more draconian action on these fronts than—

**Hon Ms Gigantes:** Directed, not draconian.

**Mr Conway:** Directed action. All right. I accept that amendment from the member for Ottawa Centre.

The people of Renfrew county have a right, I believe, in a public health care system which I support absolutely—I am not one of these people who wants to get into managed care or some kind of brokered system of partially public and partially private. I think the commitment we made in this province and this country a generation ago to have, as a matter not just of social policy but of economic policy, a public health care system was a right policy and we should not retreat from that.

I think again, as the member for Sarnia observes, that what we developed in the era of Mike Pearson, John Robarts and Tommy Douglas a generation ago clearly is not necessarily what we are going to have in precisely that way to carry us into the 21st century. But I simply say, on behalf of the constituents I represent in the north part of Renfrew county and also on behalf of a lot of hardworking providers, that the deficiency that we have laboured under in certain areas of specialization—I'll use psychiatry, because it's an obvious one and an important one—must be addressed.

## 2000

I will support any action that this government or any government takes to correct a deficiency that is apparently part of the medical marketplace. I'm quite prepared to tell people more directly than I would have perhaps been prepared to tolerate 10 years ago that going to Pembroke or Eganville or Deep River or Renfrew to practise psychiatry is, in my view, not being assigned to purgatory or to some gulag. I don't think it is a punishment. I think those are wonderful—I know they're wonderful communities. It is not that I think it; I know it.

**Mr David Ramsay (Timiskaming):** Beautiful places.

**Mr Conway:** Those are beautiful places, as my friend from Timiskaming says, and they have a right to expect a reasonable level of service that they have not been getting in some of these areas.

Where I differ, of course, with the current government is that good social democrats can't resist a very rigorous dose of social engineering. I will not walk with the minister as far as she might like me to walk down the road of that kind of engineering, though I am prepared to go farther, I suspect, than a number of my colleagues, because I have seen over 18 years some of the best efforts and the best wishes of Tory and Liberal administrations—and one of them I was an active part of—and we were not able to find a way to deal with some of these problems.

I say to the minister and through her and through this debate to the profession, that we had better find some mechanisms to deal with ongoing deficiencies in many of these areas of health specialty. They're not all physicians either, I might add.

The point was made here about nurse practitioners. There's been some interesting research. I might stand corrected, though I don't think I will be; I see Bob MacMillan here, and if anybody can correct me, he can. There was a study done I think not too long ago in some part of Canada where people were given an opportunity to "access" a nurse practitioner. As I remember that data, the consumers had a good encounter with the nurse practitioner and then said, "Where's the doctor?"

**Hon Mrs Grier:** Not all consumers.

**Mr Conway:** The minister says not all consumers, and that's probably true.

The time in this province when the nurse practitioner model worked best, as I remember it, was the period of the late 1960s and early 1970s when we had, as I remember the Elgie committee proceedings, a very marked shortage of doctors. We don't have a marked shortage of doctors today, and my guess is that as long as we have an overabundance of doctors poorly distributed, it's going to be very difficult to get the nurse practitioner program or anything like it off the ground.

So point number one on behalf of my constituents: We've got to do a better job as a matter of not just public policy but practical administration of more evenly distributing a number of these resources across the province.

Having said that, let me turn to another concern I have, and that is the underserviced area program. I can say some things here that will not be very popular in my own constituency; having enough seniority now, I guess I can expose myself to some criticism from my own constituency. I saw the government ads not too long ago about where one could go in my part of the province under the underserviced area program, and I

thought: Boy, oh boy, this on the surface looks good but in reality it's not going to solve the problem.

One of the areas, for example, was Beachburg, a wonderful farm community 10 miles east of Pembroke. We've got a very considerable concentration of medical resources in and around Pembroke.

**Mr Ramsay:** Whitewater rafting.

**Mr Conway:** Whitewater rafting country. I'm not so sure that we need to use the instrument of the underserviced area program to put a person in Beachburg, though I want a person to go to Beachburg. That's 10 miles, a very easy 10 miles, from a very large medical hospital facility, in relative terms, in the city of Pembroke. And this is more interesting. My friend the member for Halton Centre probably won't like me saying this, but the other place that was on the list was the village of Whitney, in south Nipissing, which is in the township of Airy. My friend the Minister of Agriculture and Food knows what of I speak.

**Hon Ms Gigantes:** Whereof.

**Mr Conway:** Whereof I speak. That community has suffered through some very interesting experience over the last number of years with the underserviced area program. It's not the government's fault: Best efforts have been made to put and keep a solo practitioner in Whitney. I don't think, personally, the traditional way is going to work any more. Barry's Bay is the nearest hospital centre, and they've got some very real problems; in particular, like a lot of these smaller communities represented by people like the members from Cochrane South and Hastings, we're quickly seeing difficulties around emergency services in these small hospitals. You need, clearly, a roster of physicians available to keep those emergency services open and operating.

By the way, Minister, I think your expenditure control plan is going to have—is already having—a very significant impact on the way in which a lot of these small hospitals maintain emergency services. My guess is that the current arrangements in the two hospitals that I know well, the two small rural hospitals in my area, Deep River and Barry's Bay, are going to be in trouble very quickly.

I would be very interested, for example, looking at the Barry's Bay situation, which is a very rural hospital—I personally would be interested now in looking at a program, maybe with the Queen's medical school or the Ottawa University medical school, to say, what would work up there?

What I think would work in a place like Barry's Bay, and this is speculation on my part, would be some kind of policy for young doctors, residents, coming out of Ottawa and Kingston, two hours in both cases, some kind of locum that is probably funded through the hospital and is tied into maybe a program operated by

one of those two medical schools, whereby they are funded, together with the hospital, to provide an opportunity for young physicians to go up on a regular basis, but particularly on weekends in the fall, winter and spring, to maintain a basic level of service so that the regular docs can take some kind of relief. I'm going to make it a point in the next little while to go down to Queen's and Ottawa and talk to the deans of the medical schools just to see if I can put some flesh on this proposal.

Now, there will be people, I'm sure, who won't like the idea that they might be assigned to go up to Barry's Bay from Kingston on a rotational basis for a number of weekends. I don't think that's an unreasonable request to make at all. I think it should be properly funded, and it probably should be funded through the hospital and maybe the medical school, and I'm quite prepared to say on a salary basis. I have no problem with that.

But I'm terrified that we're going to end up with a program and a policy that's going to be targeted at larger centres and that these small rural hospitals that I represent are somehow going to fall through the cracks, because the situation in a place like Barry's Bay and Deep River is very, very different than in larger places like Chatham and even Pembroke.

Now back to the underserviced area program. My guess is that in an area like Whitney and Madawaska, where people rightly expect to have a level of medical service—and I have no quarrel with that, but—

**Mr Kimble Sutherland (Oxford):** How about Palmer Rapids?

**2010**

**Mr Conway:** Palmer Rapids? That's a little different, my friend from Oxford, ably assisted by the member from Muskoka.

I want to say that I'm not interested in going back and pursuing programs and policies not designed by this government that failed, that just, for whatever complicated reasons, did not work.

The fact of the matter is, over the course of my 18 years in this assembly, we must have gone through six to eight young doctors who've gone into Whitney and they haven't stayed, for a lot of interesting reasons, not the least of which reasons are sociological. There were no other doctors there. There were other non-medical questions that came to bear.

I look at the situation there and say, "Yes, Whitney and Madawaska should certainly have an entitlement to a physician," and maybe more than a physician, a team of individuals, and there is some of that there now. But it seems to me that if we're going to assign someone there, we would probably be better to assign that person to the Barry's Bay hospital centre, because it's 30 miles to drive from Barry's Bay to Whitney.

My guess is that we're more likely to achieve most

of what the villages of Whitney and Madawaska want, though not everything, and they're going to be angry at the local member for not supporting their ideal, which is an ideal I would like to imagine could work, but all of the evidence suggests that it hasn't worked in the past and is probably not going to work in the future.

Those people living in that part of south Nipissing do depend on the emergency services of the Barry's Bay hospital so that if we lose the emergency services there, it's going to have an effect on all of those surrounding communities.

The Bancroft situation's interesting and different because they've got a relationship with Belleville General. I can't speak to how well it's working. Somebody might educate me later.

My point is that as we look at the overall situation in these small communities, in these rural areas, I think we have to be realistic. We have to take heed of what has not worked in the past. We have to recognize the right of these people living in rural communities, in Renfrew or in Cochrane or in Kenora, to a good level of service and try to devise or reconfigure programs like the underserviced area program to more realistically accord with local conditions.

So when I see in the ad, Whitney, I say to myself, yes, but the Whitney situation can't be look at in isolation from the developing problems and opportunities of the Barry's Bay hospital centre. That's the point I want to make.

I'll tell you, living in these communities, we've got to make some choices. I think those of us in elected office, whether it's at the local board level or at the local political level or certainly myself as the local provincial member, I owe it to my constituents to be honest about the real choices and the funding that's going to be required to make those possible.

My sense is that people are willing to work with government, with elected people, if we are, quite frankly, a little more honest and candid than maybe we've been in the past on these kinds of subjects. Let me be honest, again most politicians, in my experience, this one included, have been terrified to deal frankly with some of the tough questions in the health care debate because we know that this is an area of enormous sensitivity, and the minister's facing a very tough decision around the drug benefit program.

You ask yourself, in 1993 who was it and on what policy grounds did we ever decide a generation ago that just because you were 65 years of age you had an automatic entitlement, a carte blanche, to free drugs? But we decided that. We decided that: not our government, not your government, another government. They decided that against some very powerful internal advice.

**Hon Mrs Grier:** Really?

**Mr Conway:** I know at least one of the people who

gave it. But there was a very obvious political appeal to the offer.

**Hon Mrs Grier:** They could afford to.

**Mr Conway:** They could afford to, that's right. But I've got to tell you, I'm waiting for the day and if we adjourn on Thursday, probably about a week Monday, we will start to see more clearly the colour of Ruth Grier's cards. She's going to take 195 million bucks out of the drug benefit plan this year.

I only mention this because I remember about 12 or 14 years ago wily Willie Davis stuck his nose out of the tent one day and said he was going to take about, I don't know—much, much less I can remember. He was going to tinker with the ODB and take much, much less than \$195 million, and I've got to tell you, wily Willie Davis went back into the tent and he never, ever opened his mouth on the subject again, because I'll tell you, did he press a button.

It's 1993 and we've got different realities and we've got a very, very resourceful, powerful Minister of Health, who has got a much higher pain tolerance than Willie Davis.

**Hon Mrs Grier:** She also has some commitment and some principles.

**Mr Conway:** Well, you see—

**Mr Gary Carr (Oakville South):** Ruth Grier said that? Ruth Grier of all the members to say that.

**Mrs Sullivan:** Don't feed the bears.

**Hon Mrs Grier:** No, I was teasing the bears, not feeding them.

**Mr Conway:** Anyway, I want to talk again about hospitals, because it is very clear to me, again talking to a number of doctors in my area, that the expenditure control plan, wow, does it have some teeth that are going to bite into the way in which doctors relate to hospitals in rural communities. My guess is that we are just weeks away from a very significant impact on hospitals as a result of behaviour modification occasioned by the Ruth Grier expenditure control plan.

Now if the doctors I'm talking to do some of the things that they are threatening to do, I've got to tell you, we are going to very quickly find ourselves in an interesting situation in the province. But we're going to have to look at our hospital services.

I look to my own communities again. I live in Pembroke. We have two hospitals: the General Hospital and the Civic Hospital, five blocks apart. Wonderful facilities, well supported by the communities, but it's clear that the time is coming where, in a responsible way, we are going to have to refashion much of what goes on in those hospitals, not just because we probably should, but more importantly because of the fiscal reality. We just don't have the money to continue business as usual.

I'm under no illusion about what this is going to mean. As a former Minister of Education, people wanted to talk to me about the dual school system. But I look at all these communities that I know in the province where there are two hospitals, four hospitals. I said then what Bob Rae says now, and the only difference is that—no, I won't say that.

I just want to make the point that we're going to have to make some tough decisions, and they're going to have to be taken not just by the government, in fact if they're going to be successful, they're going to have to be understood and supported at the local level. We've got a long way to go there because we've got a public debate that is driven by special interests. I don't care whether it's the Ontario Medical Association or CUPE or ONA or whomever else.

I go to meetings and I just want to tear my hair out because I would just like some facilitator to get up and tell the audience, "Here, generally speaking, is the unvarnished truth as best I can present it." But to have the president of CUPE or the president of the OMA local section come in and say, "Well, here's reality as we know it," is to really make a delicate situation more difficult.

We had in Barry's Bay last summer a meeting that I'll never forget because some of the representatives of government and the OMA showed up at a meeting that was attended by hundreds of people where the issue was inadequate resources for the hospital. Hughie Segal would kill me for telling this story, but Hughie's wife Donna, this fabulous, wonderful person, and it wasn't her fault, hitched a ride with somebody from the OMA and they arrived at this rural community in a block-long stretched limo that made me think that Earl McEwan had come to town.

That was the end of the meeting, because the first question at the meeting was, "Are you the people who got out of that car?" "Yes." "Ah, and we're supposed to now talk to you about the problems of financing our local hospital," and I'll tell you, it didn't get much better from there.

## 2020

Now, the point of that meeting: 400 or 500 people came out, a large crowd, and they wanted to be part of the solution. But we gave them very little in terms of what had gone on in that hospital in terms of funding. There was a great discussion about emergency services.

I'll end with this story. I was seven years of age, growing up in the little village of Barry's Bay when, violating the teacher's orders, I threw a snowball that November day at somebody who shouldn't have been interfered with, and when I fell, my leg ended up in Rafael Chapeski's balloon tire bicycle and was broken into more parts than I can imagine.

There was no hospital. But what happened to me as

a seven-year-old was that one of my pals picked me up and put me on a bike. I was hauled home on the crossbars, squealing like I've never squealed in this place, as loud as I've been for 18 years. The doctor came and took a look at it and then my parents carted me off to the Pembroke General Hospital, 45 miles away. That was what the emergency services in my community were in 1958. Now, happily or otherwise, I survived that incident.

We need to have discussions, whether it's in Ottawa or in Barry's Bay, in Chatham, in Rexdale or in New Liskeard, about what is going on now, what is really going on in our hospitals.

**Interjection:** And what's that?

**Mr Conway:** Well, it's a hell of a lot different than a lot of people think, let me just say that—including the local member, speaking for myself.

It's time we had an honest discussion about what is going on, what needs to change, and how in a participatory way we are going to make that change, because I've got to tell you, friends, we're all in this together. If we don't manage this file carefully, we are all going to sink under a real weight of public outrage and disgust.

**The Acting Speaker:** Questions and/or comments?

**Mr Carr:** I'm pleased to offer a few thoughts on the member's comments. I think his last points were the most valid, the ones about having the honest and candid debate. Of all the remarks, I think that's the truest. I really think that most people right now who are out there because of what is happening in the social contract don't realize what this bill does. I agree with the member that we need to have honest and candid debate.

I think it's starting to happen. He mentioned a couple of meetings in his riding. We've had a couple in ours as a result of some of the services being taken away from the Oakville-Trafalgar Memorial Hospital, and a tremendous number of people came out. Unfortunately, they don't come out until services are being cut; no one really knows until, all of a sudden, the services are cut.

I also agree with the member, and I don't think there are too many here who would not agree, that we don't have the money. I think back just two and a half short years ago, coming up on three years, when this government came in. I don't think they could have thought we'd be sitting here having debates on this type of bill, even as short as two—first budget. But I think everybody realizes, the public realizes now, that we are out of money; we are broke.

So I appreciate the comments of the member. If the government takes one message, it is the honesty and the candid debate. I think it needs to happen, in spite of what the members might think. A member like the one who just finished speaking and the rest of us do want to have that debate; we want to be a part of the discussions. I really believe that a lot of people are not

aware of what is going to happen to our health care system. We've taken it for granted, and with all the other problems out there in this day and age in the economy, people had better watch this bill very quickly.

I commend the member on his comments because, looking at this piece of legislation, I believe there needs to be hard debate on what we're doing with Bill 50.

**Hon Grier:** Having served in this House now for seven years with the member for Renfrew North, I hope he'll forgive me if I use a nursery rhyme to describe him: When he's good, he's very, very good, and when he's bad, he's horrid. Tonight he was very, very good, and I thank him for that constructive contribution to this debate.

Much of what he has said about the underserviced area program, about the need to involve the academic health science centres in meeting that long-standing problem, is precisely the direction I hope we can have some constructive discussion about and the direction that perhaps may lead us to some long-term structural changes that will enable us to deal with that problem as opposed to the quick fix or the financial fix, which, as he says, we can no longer afford to do.

But I want to say to him that in his analysis, the thing he failed to recognize is that there have been until now very few tools available to the Ministry of Health to make the kinds of changes that are being suggested; that the system has not been a system, and it hasn't been managed because there really isn't an ability to manage it.

As we work together—and it is very much a non-partisan discussion out there in the communities and out there at the district health council level—as we work to try to create a system and to manage it in the interests of everyone in all the great diversity of this province, Bill 50, as a tool, is one of the ways that both many in the profession, because of some of the abilities that Bill 50 gives us to implement the results of negotiations with the profession, some of which they will support—but it is a tool that enables us to do many of the things that the member for Renfrew North and I agree need to be done.

**Mrs Sullivan:** I think the contribution from the member for Renfrew North has been a positive in this debate. I think some of the ideas he's put forward are the kinds of ideas that indeed could avoid the blunt instrument of Bill 50. Were the minister to take these kinds of ideas to heart, we wouldn't need this bill at all; in fact, I don't believe we do, and the bill should be withdrawn.

We know, and the member has ably pointed out, that there is a problem in providing physician coverage in many communities. Moosonee has no permanent physician. Rainy River, from June to July, has no doctor; there's a new one who may be arriving, but no

one knows that for sure. The member has specifically spoken about Barry's Bay, where on weekends and evenings there is no coverage at the hospital, and the relationship between physicians who are located in Whitney and Barry's Bay is problematic.

The member from Renfrew talks about the possibility of a new relationship with medical schools to provide the kind of coverage needed in communities that otherwise would not have physician coverage. I point out that that has indeed occurred on an experimental and indeed a program level through Lakehead University and Laurentian University in the north, and there is no comparable relationship in southern Ontario for those rural and remote communities that do not have the physician coverage.

Unfortunately, many of the students who were coming to the end of their term in the Lakehead and Laurentian programs were indeed anxious to practise in the northern communities and were ready to take their place. The threat of being compensated, if they didn't pick the right community, however, at only 25% of the fee schedule gave them pause. That's the kind of power that would accrue to the minister under Bill 50, unilaterally. It's the kind of power that has no place in the health system.

**Mr Runciman:** I simply want to pose a couple of questions to the member for Renfrew North, whose comments I enjoyed. It's somewhat curious, to those of us in the Progressive Conservative Party, in any event, the position the Liberal Party is taking now in opposition to Bill 50. The Conservatives have been consistent in terms of their concerns about the interventionist approach of governments in respect to health care.

We just have to hark back to 1986, I believe, with the Liberal-NDP ban on extra-billing and the demonstrations that took place. The member for Renfrew North was an important player in the government of the day when those decisions were taken. It would be interesting to know what his views were. Certainly, he stayed within cabinet and supported the Liberal government and its friends in the NDP in respect to that ban, which had the effect, among others, as I said earlier, of driving some world-class specialists, surgeons, out of this province into the United States; that legislation, among other initiatives undertaken by the Liberal government.

I find it most interesting that he and his party are taking a position today—I want to say that our position is one of principle in respect to this bill. We feel it's bad in terms of health care for this province. We have been consistent in that respect, going right back to 1986, in any event, in terms of our opposition, which certainly was of no political advantage to us; in fact, quite the opposite. We went against a great deal of political criticism. That was perhaps a factor in the results of the 1987 election, when the Progressive Conservatives suffered very badly at the polls. We felt it was the right

thing to do and we stood up for it despite the political odds that were against us.

**The Acting Speaker:** The honourable member for Renfrew North has two minutes to make a response.

**Mr Conway:** My answer to the member from Leeds is very simply that I supported then, as I do now, very strongly the notion that there should be no extra-billing to any citizen of Canada for services that are insured and covered under the medical care act of Canada—end of debate. That's my view. I feel very strongly. Our government took that position. Quite frankly, if you accept the tenets of medicare, I don't think you can have another position.

If you take the view that medicare was a mistake, and there were many in the right wing of the Conservative Party who have taken that view since 1963 and maintain it today, then clearly you can have another position. But I want to be clear: My position was then, as it is now, that for those services that are deemed to be insured under the medical care act of Canada there ought to be no extra charges.

I just want to say to my friends everywhere that we've all made our mistakes. I remember coming here 18 years ago just after Frank Miller went off on a unilateral Don Quixote mission up into western Ontario to close community hospitals. He had some rationale—I don't doubt that he had some rationale—but it blew up in his face; in fact, the miserable failure of that half-thought-out initiative complicated the life of Health ministers from that day forward. It set back some of the discussions and decisions we needed to have in those places for at least a decade.

To be sure, our government made its share of mistakes. My point, where I differ a bit with the minister, is that this isn't just a matter of finding the instruments. This is a matter of creating a public understanding and some sense of the common good that is going to allow us to make the change that is necessary and to allow spending to occur not just in health care but in key areas like education and training, where we have to improve our investments to start getting this economy moving again, to get more taxpayers out earning an income and helping us all with the good responsibilities we want to fund.

**The Acting Speaker:** It now being after 8:30 of the clock, this House stands adjourned until tomorrow at 1:30 of the clock.

**Hon Howard Hampton (Minister of Natural Resources):** Mr Speaker, I believe we have to deal with the business of the House for tomorrow.

**The Acting Speaker:** There is a business report? Okay.

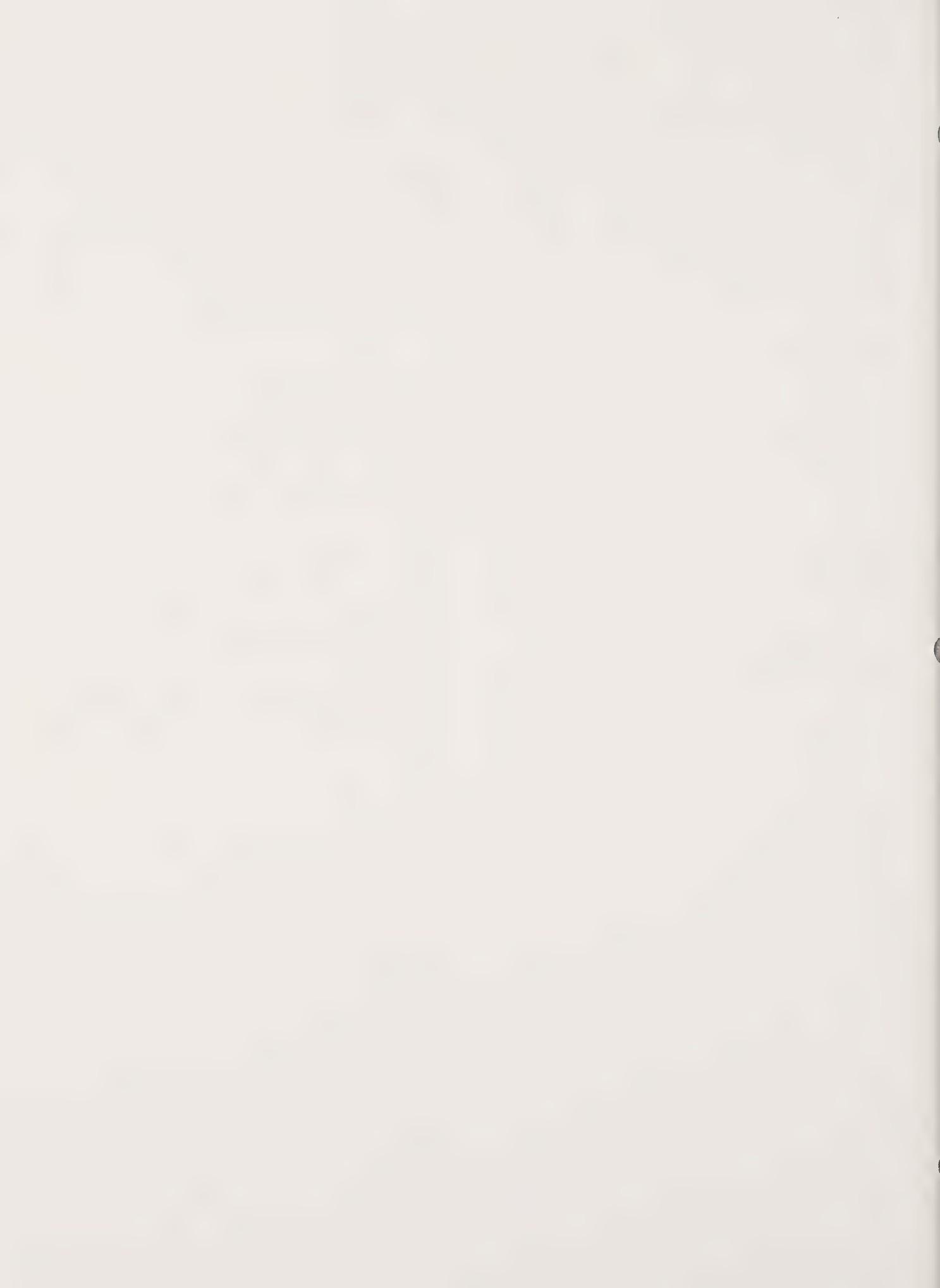
#### BUSINESS OF THE HOUSE

**Hon Mr Hampton (Minister of Natural Resources):** Tomorrow we will deal with government notice of motion number 9; Bills 32 and 34 in committee of the whole House; Bill 8, resumed debate; and Bill 50, resumed debate.

**The Acting Speaker (Mr Dennis Drainville):** I thank the honourable minister. This House stands adjourned.

The House adjourned at 2033.







## CONTENTS

Tuesday 27 July 1993

### SECOND READINGS

#### **Expenditure Control Plan Statute Law**

<b>Amendment Act, 1993, Bill 50</b>	
Mr Jim Wilson . . . . .	2849, 2854
Mr Mammoliti . . . . .	2853
Mrs Mathyssen . . . . .	2853
Mr Huget . . . . .	2853, 2863
Mr Henderson . . . . .	2854, 2858
Mr Miclash . . . . .	2857
Mr Runciman . . . . .	2858, 2863, 2869
Mrs Grier . . . . .	2862, 2869
Mr Hope . . . . .	2863
Mrs Sullivan . . . . .	2863, 2869
Mr Conway . . . . .	2864, 2870
Mr Carr . . . . .	2868

### OTHER BUSINESS

#### **Business of the House**

Mr Hampton . . . . .	2870
----------------------	------

Ontario  
A  
-DB

Government  
Publications

No. 56A



Nº 56A

ISSN 1180-2987

## Legislative Assembly of Ontario

Third Session, 35th Parliament

## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 28 July 1993

# Journal des débats (Hansard)

Mercredi 28 juillet 1993

Speaker  
Honourable David Warner

Président  
L'honorable David Warner

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



### **Hansard on your computer**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. Sent as part of the television signal on the Ontario parliamentary channel, they are received by a special decoder and converted into data that your PC can store. Using any DOS-based word processing program, you can retrieve the documents and search, print or save them. By using specific fonts and point sizes, you can replicate the formally printed version. For a brochure describing the service, call 416-325-3942.

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

### **Subscriptions**

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Lists of members**

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month. A list arranged by riding and including ministerial responsibilities appears on subsequent Mondays.

### **Le Journal des débats sur votre ordinateur**

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Ces documents, télédiffusés par la Chaîne parlementaire de l'Ontario, sont captés par un décodeur particulier et convertis en données que votre ordinateur pourra stocker. En vous servant de n'importe quel logiciel de traitement de texte basé sur le système d'exploitation à disque (DOS), vous pourrez récupérer les documents et y faire une recherche de mots, les imprimer ou les sauvegarder. L'utilisation de fontes et points de caractères convenables vous permettra reproduire la version imprimée officielle. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

### **Renseignements sur l'Index**

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

### **Abonnements**

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.

### **Listes des député(e)s**

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et dans le numéro du premier lundi de chaque mois. Par contre, une liste des circonscriptions inscrites dans un ordre alphabétique et comprenant les responsabilités ministrielles paraît tous les lundis suivants.

Wednesday 28 July 1993

The House met at 1332.

Prayers.

#### MEMBERS' STATEMENTS

##### TOBACCO SMUGGLING

**Mr John C. Cleary (Cornwall):** I want to again speak to the House about the smuggling problem along the St Lawrence River and Lake St Francis. To give members an example of the daily smuggling operation, a few weeks ago customs officials seized 165 cases of tobacco products valued at approximately \$164,000.

Boat thefts are also reported to be on the rise. Personal safety is constantly in jeopardy.

The effects of smuggling permeate the whole community. Recently, a misbehaving student who works as a cigarette runner in a smuggling cartel told his teacher, "I don't need your education," since, he boasted, he earns more money in six months as a smuggler than the teacher earns in a year.

Residents in my area and neighbouring Stormont, Dundas and Glengarry are worried about their safety. Turf wars among smugglers result in nightly gunfire. Smuggling cartels have been bragging among themselves about carrying 50-calibre machine-guns, the kind of anti-aircraft weapons used by the army in the Second World War.

At last week's united county council, a resolution was passed calling for the army to come into the area to enforce the law.

I invited the Solicitor General to visit the Cornwall area to see for himself what the residents face every night. He refused. I ask the Solicitor General again to come to my riding and he will be taken on a tour he won't soon forget. The law must be enforced and this criminal activity stopped.

#### LEGISLATIVE SCHEDULE

**Mr Allan K. McLean (Simcoe East):** My statement is for the Minister of Municipal Affairs and concerns the NDP government's incompetence and its failure to assign enough importance to legislation that will have a dramatic impact on the future of Simcoe county.

My colleague the member for Simcoe West and I have been told by local municipal politicians that members of your government are wrongly accusing the opposition parties of stalling second reading of Bill 51, the County of Simcoe Act, 1993.

Minister, we find it absolutely astounding that your government, which has complete control over the legislative agenda, would stoop to the level of blaming opposition parties for your own failure to give Bill 51 a priority. You're not fooling anyone with your legislative foot-dragging. Your government's slack is bringing

in problems for the people of Simcoe county.

In a letter dated July 7, 1993, the mayor of Midland told the member for Muskoka-Georgian Bay that he is left with the clear understanding that the government does not place a significantly high priority on this legislation. Your government appears willing to work only if it does not interfere with its own agenda.

In a letter dated July 20, 1993, the warden of the county of Simcoe urged you to ensure that second reading is introduced to the House prior to recess in order to reaffirm the government's commitment to this legislation and to the people of Simcoe county.

Bill 51 does not appear in your government's list of legislative priorities. I suspect you're more interested in pointing fingers and looking for scapegoats rather than being straight with the people of Simcoe county about your priorities. You will this fall bring in closure with no public hearings or debate.

#### FRINGE NORD FESTIVAL

**Ms Sharon Murdock (Sudbury):** As you know, I've proudly stood here a number of times talking about different things that happen in my riding of Sudbury.

On August 5 through August 8, we're having Fringe Nord Festival. There'll be 28 performing groups. It's a street festival. Each group will be paid according to the revenues their play or their act generates, and the revenues in their entirety will then be given to the players. The charge for the public will range anywhere from \$1 to \$8. A number of different community small businesses and restaurants are participating in this event. There will be an additional 19 street performers who will be passing the hat after each of their performances.

Sudbury itself is presenting eight different groups: There's the Berkely Court Players, and their story is Extremities, about sexual misconduct by a judge; Shirley Cheechoo, the founder of the D'Bajmajig Theatre in Sudbury will also be putting on a presentation; Northern Lights Theatre Festival Players; the N'Swakamok Friendship Centre is putting on one called Dream Catcher; Grizzled Veterans Association; and the Foothill Players will also be presenting. As well, we're going to have Sound Investment, which is a barbershop quartet, coming out from Wanapitei.

The players are coming from as far away as Massachusetts.

We're inviting everybody from the province to come up to Sudbury August 5 to 8.

#### SOCIAL ASSISTANCE

**Mrs Yvonne O'Neill (Ottawa-Rideau):** I rise to bring to the attention of the House some of the negative impacts of the government's 1993 expenditure control plan, which often just defers costs and attacks the

vulnerable, those who have fallen on tough times unexpectedly and, hopefully, temporarily.

Today I want to highlight a measure that demands that persons become really destitute before they can obtain assistance.

I specifically note the circumstances of a responsible young father who until very recently was able to support a wife and two young children with his retail job that paid an annual salary of \$24,000. This husband and father set aside monthly a portion of his modest salary for a life insurance policy whose cash value at this moment is but \$3,000.

#### 1340

While this gentleman awaits the unemployment insurance benefits to which he's entitled, he has applied for social assistance in York region and has been told that he will not qualify unless he's prepared to cash in the insurance policy he is purchasing to protect his young family.

This family is being asked to survive on a \$100 food allowance. How can this NDP government, which advocates so loudly on behalf of the working poor day after day in Ontario, possibly justify the hardship it has caused to this responsible husband and father and many, many others in similar circumstances struggling through the summer of 1993?

#### HOME CARE

**Mr Charles Harnick (Willowdale):** I would like to bring to the attention of the Legislative Assembly the continuing problems faced by my constituents in caring for their daughter at home. Diana and Guy St Amour's daughter, Monique, who is seven years old, has a rare condition called Hunter syndrome. As a result, Monique suffers from respiratory and developmental problems and requires life-support equipment, advanced drugs and constant attention. Like an estimated 123 other families in the Metro area, the St Amours chose not to institutionalize their daughter but to raise her at home.

The cost of hospitalization for children with Hunter syndrome can exceed \$29,000 per month, compared with a total cost of \$10,000 per month for them to remain at home. Yet every month the St Amours are faced with a shortfall in their ability to pay for their daughter's care, despite the fact that they are saving the government up to \$20,000 per month.

Economics dictate that the province should step in and fill the void in the cost of caring for Monique St Amour at home.

My constituents were forced to hold a garage sale last weekend, and will do so again this weekend, in order to meet the expenses incurred in caring for their daughter.

In the last year and a half, I have acted to help the St Amours obtain nighttime nursing, social assistance and information on drug benefits. It is in the best interests of this family that Monique remain at home. Methods

must be identified to improve and coordinate services to ensure that this will happen.

Finally, I would like to announce that a trust fund has been set up to aid the St Amours in their care for Monique. Those wishing to make a donation can do so at any Canada Trust branch.

#### OPPOSITION PARTIES

**Mr Derek Fletcher (Guelph):** As we come to an end of a session, I'd like to acknowledge some of the accomplishments of this session, especially the accomplishments of the two opposition parties.

Let me begin with the official opposition, the Liberals, and acknowledge what their accomplishments were this session.

I guess that's enough.

Let me go to the Conservatives. As far as what the Conservatives have said in this session is concerned, it's been, "Well, we want you to slash here, we want you to spend here, but we want you to cut the deficit here." We're not quite sure where their actions are and where they're going with all this.

**Mr Randy R. Hope (Chatham-Kent):** I bet you got that from a leaflet.

**Mr Fletcher:** I got this nice leaflet from Team Harris, "My role as the leader of the Progressive Conservative Party of Ontario is to be" a mad dog—excuse me—"a watchdog for misguided government policies."

What he suggests doing is to allow the private sector to be the engine of growth and to cut the public service; in other words, what we're doing is a cakewalk; what they do is a machete job, as far as the public service is concerned.

One of the questions on their brochure asks, "Taxes must be frozen and we must enact legislation requiring governments to table a balanced budget."

What happens if a government doesn't table a balanced budget? Do you fire them? Are they taken to court? Come up with some real solutions to the real problems.

#### LABOUR UNIONS

**Mr Steven W. Mahoney (Mississauga West):** As the member for Quinte and I were just discussing, the labour movement—

**Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs):** You're back.

**Mr Chris Stockwell (Etobicoke West):** Hey, welcome back.

**Mr Mahoney:** Yes, I am. Thanks very much.

The labour movement has sent a new and interesting message to all NDP backbenchers, who are starting to chirp already, and I've only risen for a short time. There is an important deadline coming up August 1. There's

another day that's rather important in our future: September 6. I see the Premier is here; he might know that that day happens to be Labour Day.

On Labour Day in this province there are parades where the labour movement celebrates its heritage and its current circumstances and its future. Not so this year. In fact, I have a memo from the Ontario division of CUPE, signed by Sid Ryan and Terry O'Connor, which is out to all CUPE locals, being asked to lobby their district labour councils not to permit those NDP members who voted in favour of Bill 48 to participate in their Labour Day parades.

They make an exception. They say that they will not stop MPPs Karen Haslam, Peter Kormos or Mark Morrow, who had the courage to stand by their convictions. Maybe they will ask that illustrious triumvirate to lead the Labour Day parade. But, Mr Premier, they don't want you there, they don't want your Labour minister there, they don't want your cabinet there, they don't want your backbenchers there. It's a sad day for the labour movement in the province of Ontario.

#### REMUNERATION OF ELECTED OFFICIALS

**Mr W. Donald Cousens (Markham):** In spite of the 29 amendments our caucus made to the social contract, in spite of the many flaws that exist within the province right now in government waste and in spite of the hurt that is causing so much harm to people in the public service and the many flaws of this legislation, I want to make a suggestion for all elected politicians across Ontario: that every councillor and reeve, mayor, chairman, school trustee, public utilities commissioner, each one, regardless of how much they're making—if it's \$5,000, \$10,000, whatever amount—make a gesture of goodwill and take the same pay cut that MPPs did, take a 5.5% pay reduction effective June 14 and a pay freeze for three years.

This will show several things: (1) It will show that every politician in Ontario is personally trying to help solve Ontario's economic crisis. (2) By taking this cut and freeze, there will be a demonstration of team commitment to all our employees that we're in it together with them. (3) By being together in the pain, we can all be more efficient in helping develop solutions with our own bargaining units.

The fact is that every elected person, regardless of their remuneration, must take part personally in a pay cut and a salary freeze to demonstrate that we want to be part of the solution to make Ontario strong again.

#### TENANT ACTIVITIES

**Mr Gary Malkowski (York East):** Today I would like to tell my fellow members of the Legislature about the tenants of 280 Sammon Avenue in East York. In mid-April, due to the rapidly deteriorating condition of their building, some of the residents of the building decided to form a tenants' association. They were given

organizational assistance by the Federation of Metro Tenants' Associations.

My office became involved when three active women came in and dropped off a videotape of their building. After viewing the tape, I asked to see the building for myself. It was in terrible condition. Fortunately, the tenants' association has been well advised and organized. They've been to the East York property standards department and attended council and committee meetings. On June 13, they held a demonstration in front of the building to draw attention to their plight. They were most successful, and I'm sure many of you read about them in the newspapers or saw them on TV.

So far the property inspector for the borough of East York has issued the landlord orders to comply for 21 of the building's 34 units. Thanks to the efforts of these tireless people, the tenants of 280 Sammon can be assured that their building will be repaired in the near future.

Today I take my hat off to the tenants' association of 280 Sammon Avenue and I know all of the members here today congratulate them for their hard work.

#### CASINO GAMBLING

**Mr Dennis Drainville (Victoria-Haliburton):** Today I'm going to be putting in 2,000 more petitions against casino gambling, many of them from the city of Windsor. That will bring to over 15,000 the signatures I've brought to this House on this issue.

I'd also like to address remarks to the Minister of Consumer and Commercial Relations. She scuttled the earlier bidding process on the temporary casino location in Windsor. That decision alone is going to cost taxpayers untold moneys. Her deputy minister has said that it will never happen again, even though everyone knows that it should never have happened to begin with.

Industry sources have come and spoken to me and said that they believe the fix is already in and that the operator of the permanent casino has already been determined, and I concur. The minister needs to be reminded that despite her naïveté she is dealing with an industry that is inherently corrupt and that pursues its own goals in its own questionable way. How can the minister's assurances be taken seriously when the industry already believes that she is in someone's back pocket?

If they are to have any credibility on this issue, they should start to deal fairly with the industry and fairly with the citizens of Ontario, who don't believe anything they've got to say on this particular issue.

1350

#### ORAL QUESTIONS

##### SOCIAL CONTRACT

**Mr Sean G. Conway (Renfrew North):** My question is to the Premier and it concerns his social contract. For weeks now, your negotiators at the health sectoral

table, negotiators with the names of Pesce, McArthur, LeBlanc and Farrant, have consistently told charitable organizations like the Red Cross, the Alzheimer Society and the Victorian Order of Nurses, among others, that they would be expected and will be compelled to give up in the name of your social contract a portion of their charitable donations. Mr Premier, will you stand in your place today and reverse that position?

**Hon Bob Rae (Premier):** I'm not going to reverse any position, but I am going to tell the member opposite categorically and extremely clearly, as clearly as I possibly can, that the Minister of Finance and I—

**Hon Ruth Grier (Minister of Health):** And the government as a whole.

**Hon Mr Rae:** —and the government as a whole have taken this position with great consistency, and that is to say very directly to you, from day one. I will not comment on any rhetorical flights that the member opposite has been capable of, but I'll say to you very, very directly that it is not the intention or plan of the government and never has been to extract any charitable donations to the government. That, in our view, has never been at issue.

I would say clearly and categorically to the member opposite that it is not the intention of the government to make the agencies which rely on charitable donations as well as on transfers from the government to transfer any charitable dollars to the government of Ontario. I don't know how either one of us could be any clearer than that, except to say very clearly that it is not our intention and it is not the intention of any government of the province—

**Hon Floyd Laughren (Minister of Finance):** And never has been.

**Hon Mr Rae:** —and never has been the intention of the government to extract charitable contributions to the government as part of any social contract discussion.

**Mr Conway:** My supplementary is in this connection: Twenty-four hours ago in this place, your colleague the Minister of Finance said to me that my point in this connection was correct. To quote the Treasurer directly, he said: "The point that has been raised by the member is correct. That is one of the items under discussion and under negotiation at the social contract table." That's the Hansard of yesterday.

The Red Cross of Ontario has told us, and it has been supported by people like the Alzheimer Society and the Victorian Order of Nurses, among others, that your negotiators, with the names that I have mentioned earlier, have consistently put the position which I put. Your negotiators said that they had political direction to tell these charities working in the health field that they would be compelled to give up a portion of their charitable donations. That's what the Red Cross has said and that's what the Alzheimer Society has confirmed.

Mr Premier, are you telling us today that the Red Cross and other charities have not been hearing what they have been telling us that they have been told by your negotiators for several days at this table?

**Hon Mr Rae:** I will say directly to the honourable member that, as Premier, I'm happy to hear directly from the Red Cross, I'm happy to hear directly from the Alzheimer Society. I do not have to rely on the distorted rhetoric of the member for Renfrew North, who I believe has obviously got every day a rhetorical point to make, but it happens to be about a million miles from the facts of the case or from the truth in this regard.

I would say to the honourable member that I'm quite happy to deal with the United Way or the Red Cross or anyone else very directly in a very straightforward fashion. But for him to come into this House and to continue to repeat the canard that even as of yesterday my colleague from Nickel Belt was saying anything different from what I'm saying today—and that is, it is not our intention to take charitable dollars away from anyone; it never has been, it isn't now and it will not be. That is absolutely crystal clear, and I wish the member would at least respect that fact.

**Mr Conway:** I want to say if there's a distorter and a dissembler on this subject, it is not the member from north Renfrew.

I have in my hand a letter written two weeks ago by the United Way of Greater Toronto to the Rae government, which says in part:

"We are deeply concerned that your government is proposing to cut agencies in the health sector on the basis of funding they receive from the United Way, private charitable foundations and their own fund-raising efforts."

It couldn't be clearer. The United Way, the Alzheimer Society, the Red Cross, they've all heard the same thing because your negotiators have consistently told these people that they would be required to give up a portion of their charitable donations. As of 1:15 this afternoon, organizations like the Red Cross had heard nothing to change that position.

**Hon Mr Laughren:** A complete distortion.

**The Speaker (Hon David Warner):** Order, the member for Nickel Belt.

**Mr Conway:** Will the Premier today commit to this House and these charitable organizations that he will give a personal direction to his negotiators at the social contract talks that not one penny of their charitable donations will be clawed back in the name of his social contract?

**Hon Mr Rae:** I would say directly to the honourable member and would say to anyone else that I would argue and I would challenge him—I would say to him that you are distorting even the United Way letter which you're reading into the record. I would say that directly

to you. It is a misrepresentation of what that letter is saying. It is not the intention of this government to extract or claw back—

*Interjections.*

**The Speaker:** Order. Would the Premier take his seat, please, and the member for Renfrew North. Notwithstanding the difficult and serious issue which is before the House, it is not helpful to have intemperate language on either side of the chamber. I would ask both the Premier and the member for Renfrew North to keep that in mind as we proceed.

**Mr Conway:** Mr Speaker, I accept your direction, but on a point of privilege: I want to be very clear. I have in my hand a letter written to the Minister of Finance in this government.

**Hon Mr Laughren:** That is not a point of privilege.

**Mr Conway:** It is a point of privilege because the member for York South, the leader of the government, is saying that I am distorting a position of the United Way of Greater Toronto. I beg your indulgence for 10 seconds to read again one sentence from that letter, and I'm happy to circulate the letter to all honourable members.

"We are deeply concerned"—

**The Speaker:** No, the member for Renfrew North. No, just a minute.

**Mr Conway:** —"that your government is proposing to cut agencies in the health sector"—

**The Speaker:** No, would the member for Renfrew North please take his seat.

**Mr Conway:** —"on the basis of funding they receive"—

**The Speaker:** Will the member please take his seat.

**Mr Conway:** —"from the United Way, private charitable foundations"—

**The Speaker:** Will the member for Renfrew North please be seated.

**Mr Conway:** It couldn't be clearer, Mr Speaker. It is clear that Bob Rae's social contract—

**The Speaker:** I must warn the member that he is out of order.

**Mr Conway:** —and the charitable organizations—

**The Speaker:** If the member continues to show disrespect for the Chair, he will be named.

*Interjections.*

1400

**The Speaker:** First, to the member for Renfrew North on his alleged point of privilege, there was not a point of privilege; there is clearly a difference of opinion.

Second, to a number of members on both sides of the chamber, certain vocabulary simply contributes to disorder in the chamber. I would ask members, both

those who are asking questions and those who are responding, to try to remain aware of trying to establish a proper atmosphere in which we can ask questions and respond, and not to create disorder.

**Hon Mr Laughren:** Distortions don't help.

**The Speaker:** The member for Nickel Belt, especially he being a distinguished member of this chamber, I would ask for his assistance in helping to provide the necessary atmosphere in which we can conduct public business.

#### POLITICAL STAFF

**Mr Murray J. Elston (Bruce):** I have a question to the Chairman of Management Board. As you know, the May budget brought by the Minister of Finance increased taxes to the province of Ontario by a whopping \$2 billion. The budget also created a so-called social contract which has, as we have discovered this last week or so, jeopardized children's safety and has been in fact used to try to gouge the charities in the province of Ontario.

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Mr Elston:** Can the minister tell us, given the damage that the latest New Democratic Party budget has caused the people of Ontario, how he can justify the dramatic increases in the number of political staff who now occupy the halls of the members of the executive council of this province?

**Hon Brian A. Charlton (Chair of the Management Board of Cabinet):** The direct and simple answer to the member's question is that as a result of the cabinet shuffle last February, the number of political staff in total who are assigned to the cabinet ministers in this government have been significantly reduced.

**Mr Elston:** That's not the information we have.

**Hon Frances Lankin (Minister of Economic Development and Trade):** You've got wrong information.

**Mr Elston:** It could be that the member will have to go back and check his records. I will certainly go over the records that we can have access to.

People in the political staff category are those people who drive the ministers' cars, carry their baggage and open doors and generally worry about how the Premier's humour is, which is not very good. I think they should hire somebody else probably.

**Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs):** Nobody carries my bags.

*Interjections.*

**The Speaker:** Order.

**Mr Elston:** Did you guys wake up for the first time this session? Did you know we voted on a social contract bill over there?

**The Speaker:** Order. The member for Bruce, it would be very helpful if you'd simply direct your question to the Chair, and on the other side if you would resist the temptation.

**Mr Elston:** Mr Speaker, I will accept your direction. It's hard to direct them to you when I can hardly hear myself speaking to you because we have people yipping. The member for Nickel Belt is wanting to answer questions I'm sure.

*Interjections.*

**The Speaker:** Order. Will the member for Bruce please place his question.

**Mr Elston:** Generally, as we know, the political staff do the various things that I've enumerated, among other things. I wonder if the minister who is in charge of Management Board can explain to us why there are 23 political assistants in the Ministry of Health when under our regime there were 11. Can he explain why it is that there are currently 21 political assistants in the Ministry of Education when the former government had only 12? Those are two examples of the change in numbers of political staff. Can he explain those to us?

**Hon Mr Charlton:** The member will know and know full well that both in this administration prior to last February and in the Liberal administration prior to the last election, the ministry which is now the Ministry of Education to which he refers was three ministries with three ministers and three sets of political staff.

*Interjections.*

**The Speaker:** Order.

**Hon Mr Charlton:** The political staff allocations which were based on three ministries have now been consolidated into one with a net reduction in staff. I don't have the precise numbers with me, but in every case that he cited, there's been a net reduction in staff as a result of the amalgamation.

**Mr Elston:** I will advise you of the numbers that we have come up with. I will go back and check them, but the total number of political staff who have been identified to us through various sources is 355. Under the Liberal administration, before the NDP reorganization that created more ministers in the cabinet, there were 305 people who were political staff for the Liberals.

I would like to know, if the member from Management Board will go back and check these things for us, if maybe he would explain to the people of the province why they have bulked up their political staff. Would he care to advise us that they are preparing to pay these people to work on a federal election this fall, and that the real reason these people are now in the employ of the ministries they now occupy is because collective agreements, the ones we can currently find because the New Democratic caucus has not complied with the Labour Act to file current agreements—

*Interjections.*

**The Speaker:** Order.

**Mr Elston:** —that the political staff will be paid in accordance with the New Democratic Party people who receive taxpayers' dollars to attend political functions, that they are paid likewise to participate in elections in this province on behalf of the political parties they work for—

**The Speaker:** Could the member for Bruce complete his question, please.

**Mr Elston:** Will he advise us that in fact they are bulking up to help fight a federal election against the Tories, as Mr Rae has said he would do?

**Hon Mr Charlton:** This question was raised earlier in the session. There were figures provided at that time. I don't happen to have them with me this afternoon, but we are perfectly happy to provide a complete staff breakdown, including the staff reductions which occurred last February and the budget dollars saved, and lastly, the allegation that the member across the way has just made is totally false.

**The Speaker:** New question, third party and the member for Leeds-Grenville.

*Interjections.*

**The Speaker:** Order.

#### INVESTIGATION INTO RELEASE OF DOCUMENTS

**Mr Robert W. Runciman (Leeds-Grenville):** I have a question for the Premier. John Piper was a close, trusted friend of yours, a friend for over 20 years, an individual with whom you played music in a variety of circumstances, someone you brought into your office in a very senior role. Mr Piper made a serious mistake. He did the right thing in terms of resignation. He admitted he had done wrong, and in an effort to minimize the damage to you, especially, and to your government, he quickly resigned without severance and took the fall.

Is there any reason to believe on your part that your former close and trusted friend for over 20 years is capable of lying, in fact would lie to the Ontario Provincial Police?

**Hon Bob Rae (Premier):** I don't see how I could reasonably be expected to answer that question.

1410

**Mr Runciman:** I think personally that if I had someone who was a close friend for over 20 years, perhaps one of my closest friends, I would have no hesitation whatsoever in indicating that I wouldn't believe he would be a liar.

As a second question, I've been advised, and I believe the information I've received, that Mr Piper has signed a statement with the Ontario Provincial Police, as part of 11 hours of his time spent with the Ontario Provincial Police in respect to the investigation, which indicated that a meeting occurred on November 20,

1992, which Mr Piper chaired, which was called to deal with questions related to the Ontario economy. Present at that meeting were Mr David Agnew and Mr Ross McClellan.

At the start of the meeting, Mr Agnew threw the Toronto Sun on the table and said, "What's this all about, John? Is it true?" related to the fact that Mr Agnew was attempting to leak damaging information about Judi Harris to the media. Mr Agnew admitted that it was indeed accurate. Mr Agnew at that point asked who else was involved in this and Mr Piper indicated just he and Will Ferguson, that Will Ferguson had provided the information. At that point Piper said, after a brief discussion, "I guess I'll be looking for another job." There was silence and the meeting adjourned.

Premier, were you aware of this signed statement by Mr Piper? If yes, what have you done about it? If no, what will you do about it?

**Hon Mr Rae:** First of all, the member is asking me to comment on a police inquiry and on a signed statement made in the course of it. I have answered every question put to me in this House with respect to the meeting that took place on the date in question.

This is, if I may say so, a resurrection of a very old story. There's nothing new in what the member is putting forward, and I would say to him clearly and categorically that I have made every effort in the House to answer every question directly with respect to this matter, but I'm not going to comment, nor do I think I should be asked to comment and I don't even think it's proper for me to comment, on a statement that has allegedly been made to the police in the course of an inquiry. I'm satisfied that any statement that I've made in this House or that others have made in this House has been very clear and very categorical with respect to a police investigation.

**Mr Runciman:** The reality is that the Premier has made very effort to bury this subject. He's stonewalled, he's thrown obstacles in the path of members of the Legislature and the media in respect of this. He has not been open in the least bit.

I believe my source, and what he's saying in respect to the signed statement sends out a dreadful message about your government. It's rotten from the top down if indeed this is the fact. Your senior cabinet officer, your former principal secretary, your former cabinet campaign manager: two people closest to the Premier caught in a lie.

Mr Premier, the reality is that you've refused a judicial inquiry. You've refused a legislative inquiry. You had a staff member called Gordon Cressy try to deter Mr Piper from having a press conference.

**Mr Stephen Owens (Scarborough Centre):** Say it outside the House.

**Mr Runciman:** I'm being challenged to say it

outside the House. I'm saying right now that Agnew and McClellan have lied. I will say it outside this House. Let's have a civil suit and we'll have the air cleared finally, because, Premier, you are not prepared to do it. If you're prepared to do it, call a legislative inquiry today. Let's clear the air.

**The Speaker (Hon David Warner):** Would the member place a question, please. New question. Is there a second question?

**Mr Runciman:** Obviously, the Premier again continues to stonewall on this very important subject, which strikes right at his office, the Premier of this province.

**The Speaker:** Does the member have a second question?

**Mr Runciman:** It's not going to work. It's not going to play.

*Interjections.*

**Mr Runciman:** My second question—

**Mr Chris Stockwell (Etobicoke West):** Is there an affidavit, Floyd? You know there's an affidavit.

**Mr Runciman:** A signed affidavit with the police. What reason does Piper have to lie? None whatsoever. Coverup at the highest level, the highest level. We're not going to let this die, because you've done everything you can to cover this up.

**The Speaker:** Order. The member for Leeds-Grenville is interrupting himself. Second question.

**GUN CONTROL**

**Mr Robert W. Runciman (Leeds-Grenville):** My second question is for the Solicitor General. Can you tell us why diagnosed schizophrenics are allowed to own guns in this province?

**Hon David Christopherson (Solicitor General):** I'm sorry; I didn't hear the full question. Would you repeat it?

**Mr Runciman:** My question was, why are diagnosed schizophrenics in Ontario allowed to own guns?

**Hon Mr Christopherson:** Let me say that there are procedures in place right now that determine eligibility for FACs, firearms acquisition certificates, and it's the responsibility of the provincial firearms officer out of our ministry to enforce that. As the member well knows, this issue is being reviewed at the federal and provincial ministers' table. We have asked that there be ongoing discussions around this whole issue, and I am seeking indeed to strengthen in many places certain requirements with regard to the ownership of firearms.

**Mr Runciman:** We hear all sorts of excuses from the minister. He's prone to do that.

This spring a Windsor man accused of murdering his neighbour was found not guilty by reason of insanity. The trial showed the man was able to obtain and later keep his guns even though he had a documented history

of paranoid schizophrenia. Ontario's Highway Traffic Act forces doctors to warn the Ministry of Transportation if the patient has disabilities, including psychological disabilities that could make them dangerous behind the wheel. So we have the strange situation where if you have a psychological disorder you may not be allowed to drive a car, but you can still own a gun. Why is it that you've allowed this inconsistency to remain within your jurisdiction?

**Hon Mr Christopherson:** I couldn't at this point, without having done a little bit of homework, say to the honourable member exactly when the regulations that are currently in place were put there, but I suspect there wasn't an awful lot done in the term of the member whose party was in power for many decades.

Let me just say, on behalf of this government, that on issues of civilian gun control that have come before us as an active issue we have taken the strongest possible position to ensure that the citizens of Ontario have the safest streets possible. Let me also say that if the federal government, which is of the same political persuasion as the honourable member, took as seriously this issue as we did, we would have a lot stronger regulations in this nation. We wouldn't have the possibility of patchwork legislation which now exists as a result of the federal legislation.

But let me also say that I'm committed to following up on this issue and other matters, not only within our jurisdiction but, along with my colleague the Attorney General, raising these with our counterparts in the federal government, who indeed have a lot of say and a lot of control over these issues.

**Mr Runciman:** It's interesting. When I raised the Piper issue in November 1992, it's old news as far as the government members are concerned, but this minister can go back to the Conservative years of government.

**Mr Chris Stockwell (Etobicoke West):** That's current events.

**Mr Runciman:** Yes, now that's current.

We freely acknowledge that gun legislation remains in the federal domain. Nevertheless, the province does have some leeway to enhance federal gun rules. Your ministry recently decided not to exempt Ontario handgun clubs from federal rules prohibiting large-capacity gun magazines. The neighbour of the Windsor man might still be alive today had doctors who knew the man was a paranoid schizophrenic reported his condition to gun authorities.

1420

Will you consider working with the Health minister so that doctors would be required to report to your ministry when they believe a patient's medical disorder would make him a bad candidate to own a gun?

**Hon Mr Christopherson:** I would say to the

honourable member across the way that that is indeed a reasonable request and is consistent with an entire review of the civilian gun control as it is part of our domain and as it is part of our development of an agenda we wish to take to our colleagues, other provincial governments and our federal counterparts.

Yes, to answer the question directly, I'm prepared to work with not only my colleague the Health minister but anyone else who is concerned about the issue of firearms in our society and wants to do things to ensure that society is safe and protected from firearms that don't need to be in our society.

#### JOBS ONTARIO COMMUNITY ACTION

**Mr Joseph Cordiano (Lawrence):** I have a question I think the Premier should answer. It's my understanding that your Minister of Economic Development and Trade is about to announce through the Jobs Ontario Community Action fund a grant of \$47,900 in my riding for the establishment of a not-for-profit convenience store.

Daily we see an ever-increasing number of business bankruptcies. In the face of this misery and devastation, your minister comes along and announces the establishment of a not-for-profit convenience store. Are you not aware that hundreds of convenience store operators are hanging on by a thin thread for their very survival? How can you justify the expenditure of taxpayers' dollars to create a not-for-profit convenience store when the for-profit convenience store operators are struggling for their very survival? I can't understand that.

**Hon Bob Rae (Premier):** I'd refer that to the minister in charge.

**Hon Frances Lankin (Minister of Economic Development and Trade):** I would be pleased to follow up and provide more information to the member for Lawrence, although we have in fact been involved—

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Mr Ernie L. Eves (Parry Sound):** On a point of order, Mr Speaker.

**The Speaker:** When order has been restored to the House, then I will entertain a point of order.

**Mr Eves:** On a point of order, Mr Speaker: Is question period over at 2:20?

**The Speaker:** The question period has 27 minutes and 46 seconds remaining.

*Interjections.*

**The Speaker:** Order.

**Mr Robert W. Runciman (Leeds-Grenville):** Mr Speaker, I rise on a point of order in respect to question period and the fact that I had posed a question to the Premier regarding serious allegations about the operation of his office and senior people within the Premier's office. I have a question related to that. The

Premier refused to answer my final supplementary. Now he's skipping out of the House. He's stonewalled us, he's thrown obstacles in the path of the opposition, and now he's running out of the place, the second-last day—

**The Speaker:** The member knows he does not have a point of order. Under the standing rules, the minister may choose to respond if he or she wishes. There's nothing out of order.

**Mr Chris Stockwell (Etobicoke West):** Where does it say he's got to leave early? Does the heat get high and he leaves?

**The Speaker:** Order. Please come to order.

**Hon Brian A. Charlton (Government House Leader):** On the point, Mr Speaker, there were discussions with both of the opposition parties this morning about the Premier's schedule. They knew he was not supposed to be here until 2:30 today. The Premier went out of his way to rearrange his schedule when he learned that the Treasurer was going to be late this afternoon, and now they're behaving in this fashion. This was all part of a discussion to resolve this issue.

**Mr Eves:** On that point, Mr Speaker, I might just say to the government House leader that making this stuff up as you go along won't wash. The fact is that the Premier's publicly published schedule said he would be in the House for question period today. Then the government said he wasn't going to be here today. Then the opposition complained. Then he shows up and leaves at 20 after 2. Those are the facts.

#### *Interjections.*

**The Speaker:** There was a question, and the minister is patiently waiting to provide a reply.

**Hon Ms Lankin:** May I say to the member for Lawrence that I do believe he was contacted by officials within the community action interministerial team with respect to input on this particular project. I think he's characterizing it a bit unfairly. I would like to get the full details for him.

The approvals that I have looked at are with respect to money for planning, for a community group in terms of capacity planning for its community, trying to set its own priorities. This is in fact exactly what community economic development is all about.

There are many non-profit organizations and businesses that exist within the province: worker cooperatives, for example; community cooperatives around groceries and other things.

I think the member should be careful in terms of how he is characterizing this. But at this point in time it is planning money that is being given to a community organization within his riding to work on developing its plans for a community economic development initiative that is truly community-based.

**Mr Cordiano:** Let's be very clear. I have a release

that was given to me this morning. This release states very clearly that the money is going for the establishment and the creation of a not-for-profit convenience store. That's the simple truth of it; there are no other complications regarding this announcement.

You are going to establish a not-for-profit convenience store. It's a milk store where people buy small items. Let's be very clear about it. Let's try not to misinterpret this. It's very clear what you intend to do.

I've got to say to the minister, if this is your idea of creating new jobs in the emerging economy for the future and this is the only hope you offer the young people in the province of Ontario, to establish four part-time position as clerks in a convenience store, then my God, God help us, God help the future of the young people of this province, because there isn't going to be one, according to this government. You have no hope, no plans for those people; very few jobs in the works. There is simply nothing on the books for young people—

**The Speaker:** Will the member place a question, please.

**Mr Cordiano:** —in the Jobs Ontario program, and quite frankly, it's a very cynical approach to creating jobs for the future for the young people of this province, and we're all very deeply disappointed.

**Hon Ms Lankin:** That leaves it wide open—there was no interrogative there—so let me say very directly to the member that that is the clearest statement of what Liberal priorities are with respect to economic development: a set of priorities that has never listened to the community, was never involved in the community, has never been ground-up, has always been what that political party thought of as economic development, has always been dealing with only large corporate interests and only large corporate investments.

This government has an agenda with respect to economic development that is much more diverse than anything we've seen in this province before. Let's take a look at Jobs Ontario Capital and the investment that has been made there and the number of jobs that have been created and have been maintained there, and the improvement in the infrastructure in this province that will lead to an atmosphere and a climate for economic investment for the future.

Let's look at Jobs Ontario Training and the number of people who are being brought off social assistance and long-term unemployment who are being retrained for employment. Jobs Ontario Housing—

**The Speaker:** Will the minister conclude her response, please.

**Hon Ms Lankin:** —strategic investment. This one program, Jobs Ontario Community Action—

**Mr Stockwell:** Non-profit convenience stores; get a grip.

**The Speaker:** Order.

**Hon Ms Lankin:** —is a very small part of the overall comprehensive program. It is one that—

**The Speaker:** Will the minister please conclude her response.

**Hon Ms Lankin:** You should be involved in planning the economic priorities for your community and testing them—

**The Speaker:** Would the minister please take her seat.

**Mr Cordiano:** On a point of order, Mr Speaker: I would like to congratulate this minister for turning Ontario into the not-for-profit centre of North America.

**The Speaker:** That is not a point of order. Will the member for Lawrence please take his seat.

*Interjections.*

**The Speaker:** He does not have a point of order. Please take your seat.

1430

#### CONTAMINATED SOIL

**Mr David Johnson (Don Mills):** My question is to the Minister of Environment and Energy, and it's about the cleanup of radioactive soil from McClure Crescent. Specifically, the question is about the site chosen to store and to treat the soil, a site located on Tapscott Road, a site that will cost the taxpayers of this province about \$1.3 million.

In this area there are about 950 industries. They employ about 12,000 people. They have formed a coalition that's called CART. It stands for Coalition Against Radioactive Tapscott. They're concerned that they have not been part of the process up to this point in determining the location for this soil. They've had no opportunity to understand the issue and no opportunity to speak to it. The people of McClure Crescent deserve a speedy solution, but the businesses and the workers on Tapscott Road also deserve to be treated fairly and have their concerns voiced.

This government has said that a storage site should be found as far away as possible from where families live and where children play. The Tapscott business people say, does that mean that a 14-foot-high mountain of radioactive waste should be placed next to where food is being processed?

**The Speaker (Hon David Warner):** Could the member place a question, please.

**Mr David Johnson:** My question is, will the minister outline today the process that this government intends to pursue so that the companies and their 12,000 employees can participate, can have their questions answered and can have their concerns voiced?

**Hon Bud Wildman (Minister of Environment and Energy):** Since the Chair of Management Board has responsibility for carrying this out for the government,

I will refer the question to him.

**Hon Brian A. Charlton (Chair of the Management Board of Cabinet):** I guess first of all, in terms of the member's question, it has to be dealt with rather directly. He referred in his question to a "mountain of radioactive waste." That's precisely the kind of exaggeration that helps cause the problem that exists on Tapscott. There will be no mountain of radioactive waste. The process, which was announced very publicly—

*Interjections.*

**The Speaker:** Order. The member for Don Mills placed a question. Perhaps his own colleagues would allow him the opportunity to hear the response.

**Hon Mr Charlton:** The process, which was announced publicly, was a very clear process. All of the businesses in question, including the council and the mayor who claim not to have been consulted, have been extensively consulted, and we have letters to that effect. More importantly, the consultation process will continue with all of the businesses and all of the local residents.

Lastly, back to the point about the radioactive waste, the process which was publicly announced is that the soil will be removed from McClure Crescent, the radioactive contamination will be removed from that soil and shipped for permanent storage in Chalk River and the soil will be stored on the site. That soil will be at background or just slightly above the norm anywhere in the province.

**Mr David Johnson:** The whole world is wrong and the minister is right. What I'm hearing is that the businesses were notified only in late spring that this was even a problem. They found out only on June 30—they had no opportunity for input—that this specific site was to be selected. There is radioactive matter in the soil, any way you look at it.

The companies want consultation. They have fears. Let me tell you what those fears are. Those fears are about the real and the perceived health risks to the 12,000 people who will work in this area. Those fears are about the ability to retain employees working in this area. Those fears are about plummeting land values. Those fears are about adverse publicity from this whole issue which will affect their very livelihoods. There must be an element of fairness here.

The mayor of Scarborough has said, "This government should sit down with the federal government, talk to the issues and find a resolution." My question is—

**The Speaker:** And now the interrogative part.

**Mr David Johnson:** —will the minister sit down with the federal government, with the businesses in this area, and find a solution? Will he provide to this House the economic studies, the environmental studies, the health studies that have caused his government to select this site?

**Hon Mr Charlton:** Firstly, we're certainly prepared

to release all of the studies associated with this project.

Secondly, in terms of the consultations which have occurred, they started in May 1992. There was a public information office set up at the Malvern Town Centre. That office has operated ever since and continues to operate. There was set up a public liaison committee made up of citizens, including some of the business people. There were 17,000 newsletters sent out to both households and businesses in the area.

There were public meetings called and held discussing this project on a number of occasions in September 1992 and February 1993. There were self-addressed, pre-stamped questionnaires seeking public opinions on storage and site criteria sent out in the January 1993 newsletter to all of the same people. There was a workshop in February to refine the criteria around site storage.

We're prepared to work with the people in the community to resolve this, but those who are now saying they haven't been consulted are those who have chosen not to have been consulted.

#### CLEANUP OF INDUSTRIAL SITE

**Mr Ron Hansen (Lincoln):** My question is to the Minister of Environment and Energy. There's a huge pool of PCB-laced oil lurking below the town of Smithville which leaked from a storage site. It is estimated to be the size of a football field. The Ministry of Environment and Energy has already ensured the destruction of the above-ground contamination at this defunct PCB transfer station and the ministry has promised to go after below-ground PCBs as soon as possible. Can the minister advise the House and my constituency if this ministry is going to proceed with its plan to rid Smithville of the below-ground PCBs?

**Hon Bud Wildman (Minister of Environment and Energy):** It is indeed a good question. I appreciate the member's interest in this matter and raising it on behalf of his constituents. I am happy to assure him that I've signed an agreement with the township of West Lincoln. The agreement sets forward the objectives and the implementation of phase 4 of the PCB remedial project. This phase of the project will involve ways and means to deal with the remaining PCB materials in the bedrock. I want to assure the member that my ministry is committed to work with the township and the local community every step of the way to ensure that the PCB contamination is cleaned up.

**Mr Hansen:** I heard the answer there, but can the minister advise the House and my constituency when this project, known as phase 4, will get under way and if it will employ Canadian technology? I think that's important.

**Hon Mr Wildman:** I'm happy to report to the member that phase 4 is already under way. On July 21, my staff from the Hamilton and Welland offices met

with the township of West Lincoln and members of the public liaison committee to discuss the organization of the project management team.

At further meetings on July 27, and an additional meeting is planned for August 4 when the details of the progress will be discussed, we've indicated that the next phase of remediation will commence as soon as possible. So we're already working out the process and we're working with the community.

In regard to his last question about Canadian technologies, obviously we will give every consideration to the use of Canadian technologies and use the best technology available to rid this PCB material from the bedrock.

1440

#### COURT REPORTERS

**Mr Robert V. Callahan (Brampton South):** My question is for the Attorney General, who is also the minister responsible for women. Minister, you will be aware that today in the Star—and actually I'd had conversations with you perhaps a month ago about the question of replacing reporters with what will be in fact a giant machine, I guess, in the bowels of the courthouse. I understand that this is being done in response to the Minister of Finance's attempts to try to bring expenditures under control. We all agree with that.

However, I have to reflect on it. In this report, which was done by a non-profit institute in Philadelphia, they have come to the conclusion that the proposal that's being put forward will not in fact save money. It will cost \$200,000 more per courtroom to establish this program.

On the other side of the coin, in your responsibility as minister responsible for women, this will affect some 700 to 800 women. These people in the main are women. They are single parents supporting their families, and in fact the institution of this may very well result in their jobs being taken away.

Would you undertake to the House that you will not proceed any further with this project until all parties, all of the people—judges, court reporters, lawyers and all the other people who are involved—have an opportunity to air their views, to determine whether this is economically feasible or whether it will be a safety valve for justice and whether in fact it's a wise move?

**Hon Marion Boyd (Attorney General and Minister Responsible for Women's Issues):** First of all, I'm the minister responsible for women's issues, not responsible for women. Women are quite able to be responsible for themselves.

Number two, this report, as the Star itself indicated, was in fact commissioned by the professional groups that represent the court reporters and it was commissioned in order to give their view and their appreciation of the importance of retaining personal court reporters in each courtroom.

The report itself is a reproduction, frankly, of a report that was prepared by that American organization for the National Court Reporters Association in the United States in 1992. It is not current in terms of the kind of technology that we are looking at. It makes assumptions, very seriously wrong assumptions, about the way in which our staffing could go if we were to proceed with this.

I have made the commitment in this place, and the deputy has made the commitment to all the players in the group, who are currently engaged in an advisory committee, an implementation committee that involves all the players in the field, that in fact we would be testing this out in two or three locations and we would be monitoring it very closely.

Our commitment is to the excellence of the quality of transcripts. We know that's extremely important to our justice system, and if in fact the dire predictions in this report were to be true, we would not proceed further, and we have made that commitment very clearly.

However, we dispute this report quite clearly, both on its costing—

**The Speaker (Hon David Warner):** Would the minister complete her response, please.

**Hon Mrs Boyd:** —and on its assessment of the availability of modern technology.

**Mr Callahan:** I appreciate the minister advising me that she's the minister for women's issues, not women. But I have to tell you, Minister, that the women I've spoken to who earn their livelihood, who support their children, through this issue are very much concerned, and if you are not responsible for women's issues, these people will lose their jobs.

Dealing with the question of pilot projects, I had suggested to you that perhaps a pilot project was the way to go. You had in fact informed me that there was a pilot project under way in Ottawa. I have checked with the lawyers in Ottawa. I have checked with everyone else in Ottawa. They indicate to me there is no pilot project in existence in this province.

What you're doing is you're taking a system from Quebec that was a failure in Quebec. The British Columbia Legislature tried it. They're now wanting to go back to the old system. You are putting in jeopardy the very serious issue of justice. Do you not realize that the lack of a transcript or one that's inaudible can very much result in the possibility of a Court of Appeal throwing out a case that may be a very heinous crime? In fact, that's exactly what happened in the state of New Jersey, where a murder conviction was thrown out because there was not an adequate transcript.

**The Speaker:** And the member's question?

**Mr Callahan:** I suggest to you, let's not pinch pennies. Let's ensure that women continue to maintain their jobs and at the same time ensure that justice is

fair, just and capable in this province. I suggest to you that you undertake to pay, first of all, for the cost of that report. I can't see why the court reporters have to pay for it.

**The Speaker:** Could the member complete his question, please.

**Mr Callahan:** Will you give us a firm assurance that you will not proceed any further with these plans until you have had full input, you've examined the BC problem, the Jersey problem and any other problem throughout the United States where this system has not worked?

**Hon Mrs Boyd:** We have done our homework. We have gone and visited other sites. We have looked at the problems that have happened with other organizations. It is true that the 20-year-old technology that's being used in Quebec is not very adequate. We don't dispute that. However, if you talk to many of those who are using that system, it is not as inadequate as is portrayed by those who believe that only personal court reporting is the way to go.

The BC example is a spurious example. BC, under its previous government, privatized this situation and did not rely on court reporters who were government employees. It is true that there will be some job loss among those people, and that is of concern to us, but I would remind the member that it is this government that brought those itinerate and unprotected court reporters into the civil service, where they get the protection of their union and the union agreement, and that the kind of redeployment, the kind of retraining that will be available to them would not have been available had they remained as itinerate workers. So we are concerned about the workers. We will do everything we can to make that happen.

**The Speaker:** Could the minister please conclude her reply.

**Hon Mrs Boyd:** I remind the member again that this is a very gradual process. We will not proceed unless we can be sure that the integrity of transcripts is protected.

**The Speaker:** New question, the member for Willowdale.

**Mr Charles Harnick (Willowdale):** My question is to the Attorney General as well. On July 14, I asked you about court reporters, what you planned to do. At that time, you were telling me that the system of court reporting in Montreal is what you're modelling your system after. Now you're telling us that system is antiquated and no good.

You leave me in a quandary. You couldn't guarantee that there would be no failure of the system you're going to implement. You couldn't guarantee that there would be jobs for the 700 court reporters who might be out of work, most of whom are women, and you're

responsible for women's issues, I understand, although you may deny it.

Now we have a cost-benefit analysis, and the cost-benefit analysis says that your proposed system is going to be more expensive than what we now have. It also says that it produces frequently unreliable tapes which lead directly to substandard transcripts. You have no analysis of your own. You can't give the guarantees that we need to ensure that transcripts will be proper.

**The Speaker:** Could the member place a question.

**Mr Harnick:** Will you right now stand on your feet and say that you're going to scrap this, or at the very least do your own cost-benefit analysis before you criticize the only one that exists?

**Hon Mrs Boyd:** This is not the only cost-benefit analysis that exists. We have done a cost-benefit analysis and our figures do not agree with the figures here, and these figures were not produced based on the model we are going to use. I would just say to the member that we of course have done our homework.

No, I said to the member that I couldn't guarantee the integrity of court reporting even by personal court reporters, and he knows as well as I do that there are many occasions on which there are gaps that are very serious in transcripts now. What I did say to him was that we have looked at the Montreal model and we believe that with updated technology, with some changes in that system, we want to try it. We have made it very clear that what we are planning to do is going to be particularly tailored to our needs in Ontario, that we are going to move slowly and carefully to ensure that any move we have—

**Mr Harnick:** You're going on and on. You're not saying anything.

**Hon Mrs Boyd:** No, I won't sit down. I'm going to finish what I said to you. You asked a question and I'm answering it.

**The Speaker:** Could the minister conclude her reply.

**Hon Mrs Boyd:** What we are going to do is pilot this and make sure that we can guarantee the integrity of court transcripts before we move further.

1450

**Mr Harnick:** I'm delighted to hear that the government has prepared a cost-benefit analysis. I have no doubt, knowing this minister, that she will make that document public so that it can be studied by the court reporters and by the organization that had the guts to prepare a cost-benefit analysis and make it public. That's the first thing.

The second thing I want to see and I want to ask the minister is whether in her cost-benefit analysis she can tell us how much it's going to cost to provide this high technology to courtrooms in Haileybury and Kenora, which will all have to be rewired and modern technology accommodated in them. I will bet you right now, as

I stand here, that this minister can't tell me that her cost-benefit analysis provides what that system will cost across this province, but will you make that public so we can study it?

**Hon Mrs Boyd:** Our estimates are based on a number of different assumptions. The range of costs, depending on which set of assumptions one adopts, is between \$5.5 million and \$7.6 million for the preliminary implementation. That includes equipment purchase, installation, wiring facilities, acoustical modifications, in 500 to 600 courtrooms at a cost of \$4 million to \$6 million. Yes, we certainly have those figures and we can show him that.

As I said in my personal conversation with this member, I made it very clear to him that initially we did not anticipate that acoustically this would work in every courtroom in the province and that those are some of the considerations that the implementation committee has to keep in mind in terms of determining how gradually we phase this system in.

**The Speaker:** The time for oral questions has expired. On a point of order, the member for Bruce.

**Mr Murray J. Elston (Bruce):** Thank you very much, Mr Speaker. Actually, this is a point of privilege more than a point of order. We were advised earlier in the sitting by way of explanation on another point of order that the Premier had advised everybody that he would not be here for question period today until 2:30.

I wish to provide for you a copy of his itinerary, at least it says it's an itinerary for Premier Bob Rae, July 26 to August 8. I provide for you, Mr Speaker, a sample of why we believe this was the true state of affairs, because it does say that as of Monday, July 26, 10:35 am, he was speaking at the United Food and Commercial Workers' third international conference. We know that took place. We know he avoided Audrey McLaughlin, his federal leader, when he was at that event. We therefore concluded that he would be here at 1:30 of the clock today.

**The Speaker:** To the member for Bruce, I always appreciate receiving pieces of paper from every member in the assembly. However, he does not have a point of privilege. Members are not compelled to be here at any particular time or indeed at all.

#### MOTIONS

#### CONSIDERATION OF BILL

**Hon Brian A. Charlton (Government House Leader):** I move that Bill 17, An Act to provide for the Capital Investment Plan of the Government of Ontario and for certain other matters related to financial administration be transferred from the standing committee on finance and economic affairs to the standing committee on general government.

**The Speaker (Hon David Warner):** Is it the pleasure of the House that the motion carry? Carried.

**PETITIONS**  
**HEALTH CARE**

**Mr Sean G. Conway (Renfrew North):** I'm very pleased to present and support a petition from several hundreds of people in the electoral district of north Renfrew, which petition reads:

"To the Legislative Assembly of Ontario:

"Whereas it is important that the people of Ontario maintain a strong public health care system; and

"Whereas it is important that in these times of restraint, our public health care facilities receive appropriate and adequate funding;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"(1) That all diagnostic imaging and laboratory services, including specimen collection, be covered by a licence; and

"(2) That licences for all diagnostic imaging and laboratory services be issued only to not-for-profit operators."

I'm pleased to present and support this petition.

**Mr Bill Murdoch (Grey-Owen Sound):** I have a petition to the Legislative Assembly of Ontario:

"Whereas proposals made under the government's expenditure control plan and social contract initiatives regarding health care in the province of Ontario will have a devastating impact on access to and the delivery of health care; and

"Whereas these proposals will result in a severe reduction in the provision of quality health care services across the province,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government of Ontario move immediately to withdraw these proposed measures and reaffirm its commitment to the rational reform of Ontario's health care system through its obligations under the 1991 Ontario Medical Association-government framework and economic agreement."

**PUBLIC SERVICES**

**Mr Len Wood (Cochrane North):** I'd like to present a petition on behalf of the member for Port Arthur, Shelley Wark-Martyn. The petition is:

"To the Honourable Lieutenant Governor and Legislative Assembly of Ontario:

"We, the following undersigned citizens of Thunder Bay, beg leave to petition the Parliament of Ontario as follows:

"We, the undersigned, call on the Ontario government to maintain and improve our public services. Public services are vital to our community and our way of life, and we can't afford to lose them."

This petition is signed by 2,882 people.

**HEALTH CARE**

**Mr Steven Offer (Mississauga North):** I have a petition to the Legislative Assembly of Ontario:

"Whereas proposals made under the government's expenditure control plan and social contract initiatives regarding health care in the province of Ontario will have a devastating impact on access to and the delivery of health care; and

"Whereas these proposals will result in a severe reduction in the provision of quality health care services across the province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government of Ontario move immediately to withdraw these proposed measures and reaffirm its commitment to rational reform of Ontario's health care system through its obligations under the 1991 Ontario Medical Association-government framework and economic agreement."

This petition has been signed by many hundreds of people, specifically in the Malton area of my community, and I sign my name to this petition.

**AUTOMOBILE INSURANCE**

**Mr Cameron Jackson (Burlington South):** I have a petition with several hundreds of signatures on it from my community in Halton:

"To the Legislative Assembly and the Lieutenant Governor of Ontario:

"Whereas the people of Ontario are undergoing economic hardship, high unemployment and are faced with the prospect of imminent tax increases; and

"Whereas the Ontario motorist protection plan currently delivers cost-effective insurance benefits to Ontario drivers; and

"Since the passing of Bill 164 into law will result in higher automobile insurance premiums for Ontario drivers;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That Bill 164 be repealed."

It has my signature of support as well.

**CASINO GAMBLING**

**Mr Dennis Drainville (Victoria-Haliburton):** I rise to present approximately 2,000 signatures in this petition against casino gambling:

"To the Legislative Assembly of Ontario:

"Whereas the Christian is called to love of neighbour, which includes a concern for the general wellbeing of society; and

"Whereas there is a direct link between the higher availability of legalized gambling and the incidence of addictive gambling; and

"Whereas the damage of addiction to gambling in

individuals is compounded by the damage done to families, both emotionally and economically; and

“Whereas the gambling market is already saturated with various kinds of government-operated lotteries; and

“Whereas large-scale gambling activity invariably attracts criminal activity; and

“Whereas the citizens of Detroit have since 1976 on three occasions voted down the introduction of casinos into that city, each time with a larger majority than the time before;

“Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the government of Ontario cease all moves to establish gambling casinos.”

I’m very glad to affix my signature to this petition.

**Ms Margaret H. Harrington (Niagara Falls):** I have some more petitions from the good people of Niagara Falls, raising the number of signatures on this issue of casinos to 3,368 people, all from the city of Niagara Falls. What they say is:

“We, the undersigned citizens of Niagara Falls, appeal to our provincial government and its elected representatives, including you, to designate Niagara Falls for a casino operation.

“We believe that the government considered legalized gambling in Ontario to revitalize our recession-battered tourism industry and to provide employment. Each year, over 12 million people regularly visit the city of Niagara Falls. Of these 12 million tourists, it is estimated that over 70% of our visitors stay for only one day. We feel that one government-regulated casino would be an excellent attraction to retain our tourists for longer periods. Increasing the percentage of overnight tourists would have a significant positive effect on our economy in Niagara Falls and the region, which would also contribute to the provincial government’s increased revenue requirements.

“In summary, we believe that one regulated casino would provide much-needed employment, increased tourism for our existing hospitality industry, provide an immediate and lasting improvement for our local economy and provide much-needed revenue for the provincial government.

“We therefore strongly urge you to support the establishment of one government casino in Niagara Falls.”

That was 3,368 people from Niagara Falls.

1500

#### HEALTH CARE

**Mr Hugh O’Neil (Quinte):** I would like to present a petition today and it’s addressed to the Legislative Assembly of Ontario:

“Whereas proposals made under the government’s expenditure control plan and social contract initiatives

regarding health care in the province of Ontario will have a devastating impact on access to and the delivery of physiotherapy; and

“Whereas these proposals will enable government to unilaterally and arbitrarily restrict payments for psychotherapy; and

“Whereas these proposals will result in a severe reduction in the provision of quality mental health care services across the province;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the government of Ontario move immediately to withdraw the proposal to restrict payments for physiotherapy and withdraw the proposal to allow the cabinet to make decisions with respect to the number of times patients may receive particular insured services and set maximums with respect thereto. The government of Ontario must reaffirm its commitment to the process of joint management and rational reform of the delivery of medical services in the province as specified under the Ontario Medical Association/government framework agreement.”

I have affixed my signature to this petition.

#### MENTAL HEALTH SERVICES

**Mr Jim Wilson (Simcoe West):** I have petition addressed to the Legislative Assembly of Ontario:

“Whereas proposals made under the government’s expenditure control plan and social contract initiatives regarding health care in the province of Ontario will have a devastating impact on access to and the delivery of psychotherapy; and

“Whereas these proposals will enable government to unilaterally and arbitrarily restrict payments for psychotherapy; and

“Whereas these proposals will result in a severe reduction in the provision of quality mental health care services across the province;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the government of Ontario move immediately to withdraw the proposal to restrict payments for psychotherapy and withdraw the proposal to allow the cabinet to make decisions with respect to the number of times patients may receive particular insured services and set maximums with respect thereto. The government of Ontario must reaffirm its commitment to the process of joint management and rational reform of the delivery of medical services in the province as specified under the Ontario Medical Association/government framework agreement.”

I’ve affixed my name to this petition.

#### HEALTH CARE

**Ms Jenny Carter (Peterborough):** I have a petition, signed by many hundreds of my constituents, addressed

to the Legislative Assembly of Ontario:

“Whereas proposals made under the government’s expenditure control plan and social contract initiatives regarding health care in the province of Ontario will have a devastating impact on access to and the delivery of health care; and

“Whereas these proposals will result in a severe reduction in the provision of quality health care services across the province;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“The government of Ontario move immediately to withdraw these proposed measures and reaffirm its commitment to rational reform of Ontario’s health care system through its obligations under the 1991 Ontario Medical Association/government framework and economic agreement.”

#### LANDFILL

**Mr Steven Offer (Mississauga North):** I have a petition from the members of the Ahmadiyya movement in Islam regarding an alternative solution to landfill:

“We, the members of the Ahmadiyya movement in Islam, wish to record our strong displeasure with the province’s continued refusal to consider alternatives to another megadump in the region of York;

“We, the members of this Muslim community, whose national headquarters is located at Baitul Islam mosque, 10610 Jane Street in Maple, are deeply offended by even a consideration by the province to dump garbage next to our place of worship.

“We strongly urge the province to divert this garbage from these proposed sites, that are inappropriate for a landfill.”

I sign my name to this petition.

#### POLICE SAFETY

**Mr Robert W. Runciman (Leeds-Grenville):** I have a petition addressed to the Legislative Assembly of Ontario.

“Whereas the NDP government attends to anti-police activists and special interest groups and ignores the rights and safety of our police officers; and

“Whereas the NDP government has placed and is planning to place increasing restrictions on police officers;

“We, the undersigned, spouses, children, parents, friends and neighbours of police officers, protest these increasing and unnecessary restrictions and ask that the Premier instead direct his attention to the safety of our officers and citizens and to ensuring tougher sentences for criminals.”

I have affixed my signature in support of this.

#### PUBLIC SERVICE EMPLOYEES

**Mr Sean G. Conway (Renfrew North):** I’m pleased to present a petition signed by several hundreds of

people in my part of eastern Ontario, which petition says in part that “the Ontario government must immediately reset its course to build an Ontario society which is fair and just, protecting those who are most vulnerable within it, and not scapegoat public sector workers in times of economic difficulty.”

#### ONTARIO DRUG BENEFIT PROGRAM

**Mr Chris Stockwell (Etobicoke West):** I have a petition to the Legislative Assembly from Hamilton, Guelph, Kitchener, Brantford, various parts of the province, Etobicoke.

“Whereas the government proposes to delete up to 25% of the drugs eligible for payment under the drug benefit plan in addition to the numerous useful drugs it has already delisted from the plan; and

“Whereas there are already substantial therapeutic categories where no drug is listed as a benefit; and

“Whereas the government makes these proposed deletions based upon the claim that it cannot afford its present level of expenditure; and

“Whereas the government proposes to force senior citizens to make payments towards all prescription drugs purchased up to the maximum of \$450 per year; and

“Whereas the government has stated its intention, despite its lack of funds and its imposed hardship on seniors by these measures, to extend the provisions of the drug benefit plan to anyone earning less than \$40,000 per annum;

“We, the undersigned, petition the Legislative Assembly as follows,” and this is the operative part:

“That the government of Ontario move immediately to withdraw these proposed measures and reaffirm its commitment to the drug care of seniors without these extra costs.”

#### CASINO GAMBLING

**Mr Sean G. Conway (Renfrew North):** I have another petition signed by scores of people in my part of eastern Ontario, and I’m sure my friend from Haliburton will be pleased to know that these petitioners are concerned and upset about the change of attitude and policy in the world of the new democracy, and their petition concludes:

“That we, the undersigned, petition the Legislative Assembly of Ontario that the government cease all moves to establish gambling casinos.”

#### POLICE SAFETY

**Mr Robert W. Runciman (Leeds-Grenville):** I have a petition to the government of Ontario.

“We, the undersigned citizens of Ontario, support the health and safety concerns of members of the Metropolitan Toronto Police Association and other police officers across the province;

“We therefore join with the spouses of Ontario police officers in petitioning Premier Bob Rae to invite repre-

sentatives of front-line police officers to a meeting to discuss their legitimate concerns.

"Surely this government, which in the past made health and safety one of its primary concerns, will exhibit the same concern about the lives of the men and women who police our communities as it does about people who work in factories, offices and elsewhere."

I have affixed my signature in support.

#### GAMBLING

**Mr Dennis Drainville (Victoria-Haliburton):** I submit this petition on behalf of the residents of my part of the country.

"To the Legislative Assembly of Ontario:

"Whereas the New Democratic Party government has not consulted the citizens of the province regarding the expansion of gambling; and

"Whereas families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas creditable academic studies have shown that state-operated gambling is nothing more than a regressive tax on the poor; and

"Whereas the New Democratic Party has in the past vociferously opposed the raising of moneys for the state through gambling; and

"Whereas the government has not attempted to address the very serious concerns that have been raised by groups and individuals regarding the potential growth in crime;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government immediately cease all moves to establish gambling casinos and refrain from introducing video lottery terminals in the province of Ontario."

I am very glad to give my signature to this good petition.

**1510**

#### INTRODUCTION OF BILLS

##### ASSOCIATION OF HEARING INSTRUMENT PRACTITIONERS OF ONTARIO ACT, 1993

On motion by Mr Owens, the following bill was given first reading:

Bill Pr49, An Act respecting the Association of Hearing Instrument Practitioners of Ontario.

##### VICTIMS' MEMORIAL DAY ACT, 1993

##### LOI DE 1993 SUR LA JOURNÉE À LA MÉMOIRE DES VICTIMES

On motion by Mr Jackson, the following bill was given first reading:

Bill 86, An Act to establish Victims' Memorial Day / Loi portant création de la Journée à la mémoire des victimes.

**The Acting Speaker (Mr Noble Villeneuve):**

Would the honourable member have some brief remarks?

**Mr Cameron Jackson (Burlington South):** The people of Ontario recognize that there is a need to increase public awareness of and sensitivity to the rights of victims of violent crime and their families.

The establishment of an annual day to commemorate publicly the victims of crime would serve to encourage reflection on the question of whether victims have achieved their proper place within our justice system. It would also promote the dissemination of information relating to victims' rights and the services available to them. It would make clear to governments and to police authorities the need for constant effort and vigilance to ensure that victims are appropriately recognized under the law and that their rights are respected and their needs met to the fullest extent under the law.

June 15 is the anniversary date on which the Mahaffy family of Burlington first learned of the disappearance of Leslie Mahaffy. June 15 would be a fitting day of commemoration in that it would signify the experience of prolonged victimization suffered by all crime victims and their families in Ontario.

#### ORDERS OF THE DAY

##### SOCIAL CONTRACT

Mr Laughren moved government notice of motion number 9:

That, for the purposes of paragraph 1 of section 53 of the Social Contract Act, 1993, and in order to carry out the intent and purpose of that act, the indemnities and allowances payable under the Legislative Assembly Act to members of the assembly during the period beginning on June 14, 1993, and ending with March 31, 1996, are reduced as follows:

1. The amount of every indemnity or allowance payable in respect of the period under section 61, 62, 63, 65, 66, 70 or 71 of the Legislative Assembly Act, and the amount of the per diem allowance payable in the period under section 68 of that act, is reduced by 5.5%, and only the reduced amount is payable in respect of the period.

2. After making the reduction required by paragraph 1, the annual indemnity payable in the period under subsection 61(1) of the Legislative Assembly Act to members of the assembly who are appointed to the executive council or are appointed parliamentary assistants under the Executive Council Act shall be further reduced by the amounts indicated in the following subparagraphs:

i. ministers with portfolio, other than the Premier and president of the executive council—\$1,392 for that part of the period prior to April 1, 1994; \$1,746 for each 12 months in the part of the period following March 31, 1994.

ii. the Premier and president of the executive coun-

cil—\$1,983 for that part of the period prior to April 1, 1994; \$2,488 for each 12 months in the part of the period following March 31, 1994.

iii. ministers without portfolio—\$698 for that part of the period prior to April 1, 1994; \$876 for each 12 months in the part of the period following March 31, 1994.

iv. parliamentary assistants—\$429 for that part of the period prior to April 1, 1994; \$539 for each 12 months in the part of the period following March 31, 1994.

3. The amount of an indemnity or allowance received by a member of the assembly for a part of the period prior to the day when this resolution passes that exceeds the reduced amount payable after the application of paragraphs 1 and 2 shall be repaid by the member to the Legislative Assembly fund by deduction from any indemnity or allowance referred to in paragraph 1 in such manner as the Board of Internal Economy determines on or after the day when this motion is carried.

4. For that part of the period ending with March 31, 1994, only the portion of allowances and indemnities payable on March 31, 1994, under the Legislative Assembly Act that is equal to the portion that the number of days in the period June 14, 1993, to and including March 31, 1994, is of 365 is subject to the reduction required by paragraph 1.

**Hon Floyd Laughren (Minister of Finance):** I am pleased to open debate on this motion to reduce by 5.5% the indemnities and allowances payable under the Legislative Assembly Act to all members of this House. The reduction will apply retroactively to June 14 of this year and will remain in effect until the end of the period covered by the Social Contract Act; that is, until March 31, 1996.

By agreeing to this reduction, all members, including members of our own party, the opposition party and the third party, are helping to solve Ontario's fiscal problems. I realize that members have already been doing their part to a large extent by living for the last three years under a wage freeze, which has also applied to senior managers in the public service.

Just to be perfectly clear about that, this will mean a six-year freeze on MPP's salaries and indemnities and the same goes for members of cabinet as well. I believe it's an extra year even for members of cabinet, so it would be a seven-year freeze and a six-year freeze for all members of this assembly. I believe that's a major contribution by members of the assembly.

In moving this reduction in compensation, we are underlining what we've stressed from the start of our social contract discussions. Our approach to controlling Ontario's growing debt calls for a special contribution from everyone in Ontario. That's why our fair and balanced solution consists of three initiatives: We are cutting government spending in ways that are as

humane as possible, negotiating a social contract to preserve jobs and services and raising tax and other revenues, and we are doing these things not just for the sake of saving money but in order to put Ontario on a responsible fiscal track and to save our most vital programs.

We in this House have been chosen to represent the interests of the people of Ontario. It is only right that we are willing to prove through this measure our commitment to the good of all. I know that my colleagues on all sides of the House recognize the fairness of the contribution we are asking them to make.

Thank you, Mr Speaker, and I look forward to the debate that will follow.

**The Acting Speaker (Mr Noble Villeneuve):** Questions and/or comments on the Minister of Finance's opening remarks?

**Mr W. Donald Cousens (Markham):** Inasmuch as this move is being taken at the Legislative Assembly level, you weren't in the House earlier today when I made a private member's statement suggesting that, as a statement of goodwill, all elected people across the province of Ontario might well consider doing a similar type of move, regardless of how much they're making, if they're making a \$5,000 honorarium, \$10,000. It's more a statement that they're participating in a solution to what the problem is in the province of Ontario, not necessarily agreeing with the social contract.

I mean, we presented 29 amendments to the bill, none of which were approved. I know the bill is flawed, but none the less we're into it, and there's a time in which, by virtue of this kind of bill that we have before the Legislature where all members will participate in a very real way—I'm wondering just what comment you have on people across the province making some kind of commitment in much the same way. I'm saying trustees, public utilities commissioners, councillors, and regardless of how much they're presently earning.

The intent here I can understand and am prepared to participate in as an MPP. The problem we have is that Bill 48 doesn't cover elected people necessarily. They may not feel that they're part of that, and if in fact they're under the \$30,000 limit, they'd have all the more reason not to be part of it.

Just a few more comments on that. I think it would go a tremendously long way to create a better statement of goodwill between the elected people in the province and people at every other level, union or non-union, and the sectors will see this as something where the politicians are very genuine in their commitment. It will also help solve the problem Ontario has. Your comments on that would be appreciated.

**Mr Chris Stockwell (Etobicoke West):** It tends to be a little non-partisan, the reduction in wages, and I think it probably works that way, because people

understand the economic crisis that we're in. But I want to get on the record an issue that I find difficult.

As a member sitting in the third party, I myself have seen that we need to reduce our salaries. I think that's fair comment and I think it's something that the public would expect during these economic times, considering this social contract. Whether or not you think it's a debacle, there are people who are going to take reductions in the public sector, and we should in fact follow that lead.

I have some grave concerns, though, with respect to how the situation sits here in the Legislative Assembly. I look across the floor and I know full well that of the members in the government, some 70 of them, every single member but one, I believe, collects extra money over and above their salary. Whether it be a parliamentary assistant or a chairmanship or a junior minister or something, every single member but one, who I believe is Mr Kormos, and I could stand corrected—

**Mr Norman W. Sterling (Carleton):** And Karen Haslam.

**Mr Stockwell:** —and Karen Haslam, pardon me—all collect extra money over and above the MPP salary. Over a period of five years, that could add up to as much as \$40,000, \$50,000 or \$60,000 over and above the standard MPP salary.

**1520**

I'm very prepared to accept my 5.5%, but it seems passing strange that there is a job open for every single member of that government but two to up their salary over and above the standard MPP wage. It seems to me rather coincidental that they can find gainful work outside of the MPP range for every member of this government that pays every single member but two more money.

I think if that could be addressed somehow, that there could be a reasonable amount of people who collect extra stipend, I could agree, but I think it's rather inconsistent to suggest that every single member of the government is going to make more than I am, upwards of \$50,000, \$60,000, \$75,000 a year, and claim that's a reasonable and fair comment.

**Mr Gordon Mills (Durham East):** I'm going to keep cool, calm and collected. The member for Renfrew North has advised me. But this is a serious matter, and I think we would be very remiss if, as we sit here, we can somehow not be part of the social contract.

I've taken it in the neck about the salary I receive, but I'd like to say, speaking on behalf of the government members here, we are indeed full-time members; we all spend a lot of time. I notice that other members in the opposition have other businesses and do other things, but every day of the week I am here when I'm supposed to be, along with my colleagues. I notice other people are long gone two and three weeks at a time.

We're all part of this problem in Ontario and in Canada, and I take great exception when the press lambastes the MPPs for their extras, their perks and everything when the real culprits in the dire straits that we find ourselves in Canada are a succession of federal Conservative and Liberal governments that got us into this one devil of a mess with the deficit. Yet I don't see any of those people—I believe that federally there's a 2% freeze. The federal members earn \$20,042 more than I do, and I'd like to know the difference between what they do and what I do.

**Mrs Elinor Caplan (Oriole):** What a lot of crap.

**Mr Mills:** You say it's a lot of crap. That's unparliamentary. It's true they earn \$20,042 more. Have they come forward and taken a pay cut? Have they offered any resolvement to this deficit? Of course not. They sit in Ottawa and they garner every penny they can, and we MPPs in Ontario take the brunt of the press and the bad press as though we're some sort of—okay.

**The Acting Speaker:** We can accommodate one final participant. The honourable member for Nepean.

**Mr Hans Daigeler (Nepean):** Frankly, this is a matter that I don't want to be partisan about at all. However, I want to make a comment to support what the Treasurer said. I thought it was most appropriate when he said that the members of this House have in fact contributed to the financial stability of this province for a long time. If I am correct, the last time I did receive a raise was in 1988. I don't mind at all contributing my share to the public good, and I think that's fair and that's reasonable.

I think we're all here to serve the people of Ontario, and we are trying to do that without consideration of financial reward. At the same time, I think we as members can expect of the media and of the public to at least recognize that we have made an effort at restraint for a considerably longer time than we have expected of the public.

I would have expected, frankly, that the press, as they reported it on the front page in practically every paper this week in terms of the reduction of the MPPs' salaries, would have reported—as I think the Globe and Mail did, in fairness, but none of the other papers did—that this three-year additional reduction in fact comes on the basis of a salary freeze that we have had since 1988. In fairness, to inform the public properly, I think that should be stated and that should be brought forward, and I was glad that the Treasurer mentioned it.

**The Acting Speaker:** The honourable Minister of Finance has two minutes in response.

**Hon Mr Laughren:** To start with the last speaker, I agree with him that this is a six-year freeze, and that needs to be recognized by the public. I am certainly not one who undervalues the work of MPPs, whether in opposition or in government. I believe that we are not

overpaid. I believe that every member I know on either side of the House works extremely long hours on behalf of their constituents, and I don't know anyone who shirks their duty. If they do, they're a one-tripper, as we say in the business, and they sure don't stay around here very long.

I did want to deal with the comments of the member for Markham who talked about municipal officials, and it's section 53, paragraph 3, of the bill which allows municipal politicians to pass motions at the municipal level to do basically what we're doing here in the assembly. I would be surprised if employees at the municipal level, not to mention ratepayers at the municipal level, would be very tolerant of municipal councils that didn't do something along the lines of what we're doing. We don't run the municipalities to that degree, but I would certainly encourage municipal councils to do that and I'm sure the ratepayers will do the same.

A word of caution to the member for Etobicoke West about who gets a special allowance. It's true that members of the government, regardless of the political party, do act as cabinet ministers and as parliamentary assistants. But I would remind him that leaders of the opposition and the third party; deputy chairs, some of whom are opposition; committee chairs, some of whom are opposition; opposition whips of both parties; the committees members' per diem allowances—all of those are paid extra emoluments as well.

**The Acting Speaker:** Further debate?

**Mr Sean G. Conway (Renfrew North):** I rise to support the Minister of Finance in this policy. It is an appropriate policy, and quite frankly, given the nature of the budgetary pressures that the province of Ontario is facing, the government and we in the Legislature have no other course and we have no choice.

I want to say at the outset and as clearly as I can that I personally and strongly support the Treasurer and the government in this connection. It is absolutely clear to me that we in this Legislature must, in this delicate subject, lead by example. We simply cannot expect people who are going to find their public sector wages, salaries and programs reduced or frozen to accept that sacrifice on the one hand, and on the other hand not to do our part as people who are paid by the public purse, and, more importantly, as people who are elected to set policy and to show leadership in this regard.

This debate for me is one that is fertile with opportunity. I could, if I were in a less than generous mood, indulge myself with a fair range of—what shall I call it?—polemic. I think of my friends in the government, I think of my friends in the New Democratic Party, who would go ballistic at the thought of an NDP government introducing a resolution of this kind. I'd like to be there when Floyd Laughren next meets Elie Martel.

I haven't checked the record, but I think I'm correct

that one has to go back to the Depression era of Mitch Hepburn to find a similar measure, though I think, and the member for Carleton can correct me, that there was a time, perhaps 15 or 18 years ago, in the mid-1970s, when William Davis reduced the cabinet portion of certain members' salaries. I think I'm right on that. I'd want to check the record, but I think one has to go back 60 years to find the time when the government chose to roll back the indemnities paid to honourable members of the Legislature.

1530

I want to say some things as well on this subject because it is very important and necessary that we support the Treasurer in this business, and show the leadership and the good example that the public expects us to show. Let me restate that one more time. I think it's important as well that we take a moment today to think about and to prepare ourselves for some of the attendant issues.

I don't know whether the Treasurer or whether anyone else had the opportunity I had yesterday morning when I was driving from a meeting into the Queen's Park parking lot at about 9:10. I was honoured to hear my friend and neighbour the member for Carleton, a leading member of the Davis cabinet, Mr Norman Sterling, spend 10 or 15 minutes with someone on CFRB—

**Mr Sterling:** Tayler Parnaby.

**Mr Conway:** —Tayler Parnaby. I want to say to the Treasurer, you ought to get that tape, because you haven't heard anything quite like that in a long time.

Now I have to say that the member for Carleton is a very thoughtful, balanced fellow. He is, in case you don't know, both a lawyer and an engineer who came to this place 16 years ago, who told that audience yesterday that his 16 years in this place has represented for him an opportunity cost of about a million dollars. I must say the people of North Renfrew got me at a much, much lower price.

**Mrs Karen Haslam (Perth):** And you're worth every penny.

**Mr Conway:** Whether the value is there, as the member for Perth opines, is entirely another question and certainly not one for me to answer. But I tell you that Norman Sterling was never more stimulating than he was with Tayler Parnaby yesterday morning, and I'm sure he'll entertain us with some of that today.

I just simply want to say that this is a very delicate subject. I can say some things, and I do have a conflict of interest; I want to be upfront about that. I've been here a long time. I'm a single person. I can give up 5%, 10% of my salary, and I'm going to tell you, it's not going to make a great deal of difference to me. But I have a lot of sympathy for people who are here with spouses and other family responsibilities.

I grew up in a very political family. My grandfather was here for many years. A couple of my relatives were here for a long time.

**Mr Paul Klopp (Huron):** Family compact.

**Mr Conway:** A family compact, someone says. I can say, both from personal experience and from looking at a lot of the literature over the period, that most people, when they come to politics, do make a financial sacrifice. In my view that is as it should be, because quite frankly, there is, I believe—and it may be an old-fashioned Tory notion but it happens to be one I hold and I think it's one that's shared by most members on all sides in this House—there is, there always has been and I hope there always will be a real measure of public service associated with serving on a local hospital board, a local school board, a local council or in the legislatures, local or national.

I, for one, don't argue the case that the remuneration here should be an entirely arithmetic calculation, as it would be in many other places, because I do think that we are paid, yes, to keep the wolf from the door, so to speak, but it's also a recognition on our part that there is a duty. In the early days of the British parliamentary system, serving in Parliament was like jury duty. You were not really given a great deal of choice. Now we've happily moved on from that day, although I sometimes wonder if we may soon return.

I think it has to be said that all of us have work to do with a very sceptical electorate which looks at members of local councils and the local and national legislatures. The public is increasingly concerned by what it sees as special status, and I think we are going to have to look at that. I can tell you that we have not looked at it because people like myself have been terrified that we would get crucified in the public debate, because I don't know of an issue that invites cheaper politics and cheaper journalism, and I say that advisedly.

**Hon Evelyn Gigantes (Minister of Housing):** Nothing is ever going to change that.

**Mr Conway:** Well, I think we have to work at trying to create a better understanding and I think we have to start with our own treatment of ourselves.

In my grandfather's time, which was 1929 to 1945, members were indemnified for part-time work. He came in late January. Until, quite frankly, about 25 years ago, you were often indemnified for two to three or four months' work and no more than that.

I was reading a wonderful essay about R.B. Bennett the other day, and it's hard to believe but there was a time when one could be the dean of the law school at Dalhousie University and member of Parliament for I forget which of the New Brunswick constituencies.

We had a Premier, a Liberal Premier, George Ross, who at one and the same time as he was Premier was also president of one of the life insurance companies; I

can't remember which one.

Not that many years ago, if you can imagine this, the federal member for South Renfrew was at one and the same time the minister responsible for national revenue and actively involved in one of the trust companies. That's not that many years ago.

John Robarts, when he was a cabinet minister, I believe, practised some law.

**Mr Sterling:** Fred Cass, when he was Attorney General.

**Mr Conway:** Fred Cass, as well, when he was Attorney General.

*Interjections.*

**Mr Conway:** No, but I think that if we looked, if we went back into the Saskatchewan CCF, we'd probably find some of the same. That's the way life was.

My point is that as we have evolved, we have picked up some ways of paying ourselves that I think now offend people. The non-taxed expense allowances are clearly irksome to a lot of people who find that they're taxed on virtually all of their earnings. To find that the people who write the tax law somehow, for whatever good reason, are spared the full measure of that tax on their own indemnities, salaries, call them what you will, grates today in a way that I don't remember it grating 18 years ago when I was first elected.

I think we're going to have to look at that and I think we're probably going to have to make a three-party agreement to do a grossed-up salary, announce it before an election campaign and say: "My friends, here it is. You've got to believe us"—maybe not us but a good group of accountants who will say—I'll use myself as a good example: If I wanted to leave here today and take a job that would effectively pay me what I'm now earning, the salary I would seek is about between \$65,000 and \$70,000 as a private member.

Now, that will vary depending on how people apply their non-taxed expense allowance. Some people are much more frugal on that account than some of the rest in this House. My calculation is that, all things considered, as a private member of this Legislature receiving no other emoluments—I am not a whip; I am not a deputy anything; I am the member for Renfrew North—I receive a salary of whatever it is, \$44,500, about to be discounted—understandably and properly—an untaxed expense allowance of \$14,000 whatever and probably, on average, about \$1,500 to \$2,000 annually in per diems from various committee activities in which I am engaged.

Interestingly, and I'll be quite honest, one of the most significant perks for me is my car allowance. I live in my car. I probably drive more than anyone else in this place, outside of the cabinet, and I probably drive almost as much. I'm not bragging. It's the reality of living 400 kilometres east of here and representing a

constituency of over 2,000 square miles or whatever it is. It is very large, not as large as our friend the Speaker's and the Minister of Agriculture and Food's, whose ridings make mine look like an urban borough. But none the less, in my compensation, the mileage allowance is a real benefit.

All things considered, I would, to be truthful, have to be compensated in the range of \$65,000 to \$75,000 if I left this place and wanted equal treatment in so far as another job was concerned. I have not disguised that with anybody. When people, including my own family, try to figure out what I earn, it comes as a bit of a surprise to hear me say that.

I think the day is coming when we are all going to have to make some decisions. I applaud the Premier. He has taken the first steps, both on the pay question, as we are obligated in the name of the social contract to do, and also on the pension side. Again, and I say this recognizing that mine is a very special set of circumstances and that one cannot make policy in so far as pay is concerned, and particularly on pensions, looking at the exceptions.

I spoke the other day, and I'm not going to retrash that straw, but if I left here today under the old pension arrangement, the arrangement that is now operative, at age 42, having served for 18 years with five and a half of those years in cabinet, I would be entitled to a pension benefit payable immediately and for life at the rate of \$54,000 a year. Now, there isn't a person I represent in the wonderful county of Renfrew who thinks that is right or just, and I completely agree with them.

**1540**

**Mr Sterling:** A director of education might.

**Mr Conway:** My friend says the director of education would earn that, and I suppose we would have to talk about the director of education. I don't think there's a director of education who would be in a position to receive a pension benefit of that amount at age 42. But you see, my point there is that I recognize that I'm one of a very few people who qualify for that too-rich entitlement, and because there are so few of us and because it is so offensive to the taxpayers to read that, let's change it.

**Ms Sharon Murdock (Sudbury):** Well, of course, the media pick on you. I can't understand why.

**Mr Conway:** Well, of course, and one of the reasons I'm sensitive, I say to my friend from Sudbury, is that if I see myself one more time on the front page of the Windsor Star or the London Free Press or the Pembroke Observer or the Ottawa Citizen saying, "Conway, 42, 54,000 Bucks"—I've got to tell you, in Renfrew county, where \$54,000 a year is a king's ransom to most people, it is just indefensible and I am not going to defend it.

Having said all that, the summary of that is that there

is a problem out there that we have to deal with, the sense that we get special status around non-taxed allowances, the sense that for some people the pension benefit is too rich, and it is, and the third issue that—I could pick an example from all three parties that good old Harry or Mildred, having served for X number of years in Parliament, locally or nationally, has earned a good pension—nobody quarrels with that—and then immediately upon retirement, in fact before retirement or at the same time, walks directly into a full-time public sector job with a salary of 80,000 or 90,000 bucks or more.

People say, "That is just not fair," because the whole notion of the good pension is that there should be some protection against the vicissitudes and uncertainties of public life, and that's a very powerful argument that we ought to listen to, but that argument is completely removed if Conway is to leave the Legislature and go as agent general to London or go to chair the Workers' Compensation Board, neither of which job I would take if my life depended on it. But if I were to accept one of the full-time positions—I'm not, quite frankly, worried about part-time positions or per diems. I think that's incidental. I'm talking about the tier 1 jobs, the full-time-equivalent salaries of 60,000 and 70,000 and 80,000 bucks.

**Mr Sterling:** And another pension.

**Mr Conway:** And another pension.

**Mr Charles Harnick (Willowdale):** If you get to be a judge.

**Mr Conway:** The member for Willowdale says, "If you get to be a judge." I can think of some of those federal Liberals I knew. Bob Daudlin, a long-time member from Kent, took his parliamentary pension and went directly to the bench.

You see, when Allan MacEachen left the lower House of Parliament and went to the Senate, he was obligated to leave his pension behind, ostensibly because he'd not left Parliament; he'd just gone to the other place. I'm simply saying that I know it's difficult—

**Mr Sterling:** Did he know that?

**Mr Conway:** Yes, I'm sure he knew that.

**Mr Sterling:** He didn't act that way.

**Mr Conway:** Well, he didn't act that way, perhaps.

My friend from Oriole is here, and she would want me to say, "Be careful around the double-dipping issue, because it's a lot more easily said than done." I understand that. I'm simply saying that on this subject of paying members, the questions of pay, perks, pensions, I think we have to take stock of where the irritations are. There are not that many, but there are two or three places where the public has rightly focused its attention, and I think we have an obligation, as a political class in a democratic society, to reasonably and sensibly respond

to that irritation and that concern, particularly now as so many people are feeling the pain of unemployment, job insecurity, rising taxes and all the other things that each honourable member knows in his own household, in her own household or in his/her workplace.

I would really make a strong pitch today to all members to try to find a way in the coming months to deal with some of these issues so that we are ready in another election, 18 months from now, to hopefully put some proposals before the electorate. I would quite frankly hope we could do it on some kind of tripartite basis. We may not be able to do so, and that I would understand as well.

**Mr Anthony Perruzza (Downsview):** No, because you guys might play politics with it.

**Mr Conway:** My friend from wherever says someone might play politics with it. Yes, somebody might. There will be candidates out there—

**Mr Perruzza:** You had five chances to change the system, and you didn't do it.

**Mr Conway:** I've got to tell you, I was a failure as a House leader, because I from time to time made very modest steps to do some of this, and I'll tell you, I was beaten back so quickly and so vehemently by some people whom I will not mention. But that's why for me to stand here today and support this resolution standing in the name of the honourable member for Nickel Belt, pillar of the new democracy in Ontario in 1993, is an opportunity pregnant with much history. I won't embarrass anybody with some of that recitation, but I'll tell you, today is an example of that old adage that it is truly a long road that has no turns, because this day represents a very dramatic turn in this road.

**Hon Ms Gigantes:** Times are different.

**Mr Conway:** My friend opposite says that times are different, and of course she's right.

I want to say on the other side of this that it would be useful, I think, for members of the Legislature and opinion-makers in the community to take a few hours—I'm going to recommend a bit of reading. I do this too often, but there's a fellow named Ned Franks, C.E.S. Franks, and he wrote a book five years ago called *The Parliament of Canada*. It's got kind of a dry title, and you think, "Who the hell wants to read that?" I intended to bring it in here today, and I just didn't get to the library.

**Mr Perruzza:** Unless of course you've got to read it for some school course you're taking.

**Mr Conway:** I am not now in the business of taking courses, though some day soon I might be.

I make the point, though, that it is a very useful thing to read. I think it's a useful thing to read Franks's look at the political and parliamentary culture in this country, with fairly recent data. There are just a couple of chapters that I think people should look at. There's a

chapter called "Honourable Members," and it takes a look at who serves in Parliament and how long they're here. Most people, I think, would think I'm typical of people here.

**Hon Allan Pilkey (Minister without Portfolio in Municipal Affairs):** Never.

**Mr Conway:** Well, typical in this sense, that I'm here 18 years, and aren't they all? Isn't the average length of stay 10 or 12?

*Interjections.*

**The Acting Speaker:** Order, please. I want to remind the honourable member to address his remarks to the Speaker.

**Hon Bob Mackenzie (Minister of Labour):** It's six or seven years.

**Mr Conway:** I know. My point is that the Franks essay makes plain a fact that is lost on most people. The average length of stay in the Parliament of Canada, as late as the late 1980s, is about six and a half years. The average length of stay in the Ontario Legislature is now about four and a half years.

One of the reasons we should change the pension plan is that, even as it's currently constituted, it is irrelevant for the overwhelming majority of people who are here.

**Hon Ms Gigantes:** It's true of most pension plans.

**Mr Conway:** Well, it may be true of most pension plans, but I'm telling you that we are getting a lot of heat around a couple of exceptions in the plan. I simply want to say that as a matter of good strategy, as well as a matter of good policy and politics, let's change it. Let's remove those few irritations that rightly inflame people and reconstruct the plan in the light of the new reality. And the new reality—*pardon me*?

**Mr Randy R. Hope (Chatham-Kent):** Jim might get a little mad at you.

**Mr Conway:** Of course people are going to be angry. Listen, I've said before and I'll repeat it: I ultimately am anxious to participate in a three-party scheme. But if there's not consensus, I've got my own policy, and I intend to apply it to myself without any intention of embarrassing anybody. But I have a feeling that if, as and when I need to, I do what I intend to in the absence of change, it will cause some interest for some honourable members.

**1550**

My point again is that the reality, according to Professor Franks, is that parliaments in this country, particularly Ontario and Canada, that is, the national Parliament, are increasingly populated by what Professor Franks calls "short-term amateurs," quite a different pattern of parliamentary representation than he found when he looked at Westminster, Great Britain and the United States.

I think it comes as a big surprise to a lot of people, particularly a lot of people who speak in the public domain about this subject and who write about it, to find out that the reality is very different from the perception.

One of the things that surprised me about the data in Franks's *The Parliament of Canada* was the very high number of people who leave the Parliament of Canada because they're just fed up: They feel there's no contribution to be made, they're frustrated and they go off to other things; a much higher level of turnover on that account than I would have imagined.

When I look to our own place, we've had three successive electoral decapitations, each one more significant than the one before it, in 1985, 1987 and 1990. I have suggested, perhaps partisan—I don't mean it as such, but I would submit that in 1995, we will see the greatest turnover that this assembly has seen in the post-Confederation period. I might be wrong, but I'm prepared to make a slight wager.

We're getting dramatic changes in terms of length of stay. We're getting, happily, a new mix of people. I'm delighted, for example, to see people like Gordy Mills getting elected at his age, if I can say that.

**Ms Murdock:** He's getting his old age pension.

**Mr Conway:** And well he should. I think we're a better place for having people like Gord Mills and Leo Jordan, who have completed full work careers elsewhere and are prepared in their 60s to come to this place. I think we are probably going to see a bit more of that.

**Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings):** What about young people like us?

**Mr Conway:** Young people like the member for Prince Edward-Lennox-South Hastings are going to, I think, be increasingly rare.

**Ms Murdock:** They can't afford it.

**Mr Conway:** Well, the question has to do with the security of tenure. Politics, it has to be said, and happily so, is a fundamentally unstable occupation, and it should be, in a democratic society.

I want to make the point that we have some changes occurring in our political culture in Ontario. Twenty years ago, this was an environment where if you were elected, if you were a New Democrat from Hamilton, if you were a Tory from just about anywhere, if you were a Liberal from a place like Bruce and maybe Kenora—

**Mr Paul Johnson:** Renfrew North.

**Mr Conway:** No. Renfrew was a great bastion of blue until I accidentally happened in 1975.

**Mr Sterling:** We think the blue is still there.

**Mr Conway:** Well, I'm like Bradley on occasion. I'm a small-c Liberal. Where was I?

**Mr Murray J. Elston (Bruce):** I think you were dealing with phonics.

**Mr Conway:** My point was that 20 years ago when I came here, there was a tradition of people like Norm Davison and Fred Burr of the NDP, and Donald MacDonald; people like Bob Nixon and a Jim Breithaupt or a Pat Reid in the Liberals; and, as I say, Tories running the gamut from Ellis Morningstar in Welland to Clarke Rollins in Hastings, Paul Yakabuski in Renfrew; long-long-term members. That's changed; that culture has gone from this place.

The other thing we have to think about as we look at the pay question—and I'm surprised at the number of people who haven't figured this one out—is the impact of the new reality of conflict of interest. That is a very significant reality.

It has to be understood that if the payment of members is at a point that is deemed inadequate by some of the successful bidders for the parliamentary place, those men and women are going to do what you'd expect them to do and what's always been done here.

One of the most colourful members in this assembly for years was Albert Roy, the Liberal member for Ottawa East. He was a Tuesday and Thursday man, and he never made any bones about it. He simply said: "I have a wife and children. I can't afford to keep my family in the kind of lifestyle to which I think they are accustomed or should be expecting on the salary of a member of the Legislature."

**Mr Paul Johnson:** Was he in government?

**Mr Conway:** He was never in government.

My friend from Etobicoke West is gone, and I want to take some issue with him. I've been a private member; I've been a cabinet minister. In my view, the cabinet life is a very stimulating life that is not as well remunerated as I believe it should be. There's no doubt in my mind that I am better off, psychologically, physically and financially, as a private member than I was in cabinet.

*Interjection.*

**Mr Conway:** I don't know, I was never a private member in government. I was a minister of the crown for five and a half years. Stanley Baldwin, who on three different occasions served as Prime Minister of Great Britain and served in Westminster for over 25 or 30 years, said he was never happier than when he was surrendering the seals of office. There are days when I really do appreciate what Stanley Baldwin meant when he said that.

I want to disagree to that extent with the member for Etobicoke West. I believe that cabinet ministers of my acquaintance, in the main, have certainly earned the money that they have been paid. I would make the comment that might appear to be a bit peculiar, but I make it only on my own personal experience: I am personally better off as a private member than I ever felt in cabinet. For the amount of work that was

required and the constraints of conflict of interest as they applied, and properly so, to cabinet, I've got to tell you, in many ways September 1990 was my emancipation day.

I do share, however, the comment that the member for Etobicoke West made in respect of all of the additional positions that are made available to the government benches, and I don't mean this as a criticism of the New Democrats, because they are doing nothing that the Liberals and the Tories didn't do before them. I'll tell you, the New Democrats and the Liberals—my friend Sterling from Carleton will remember this—used to excoriate the Davis and Robarts Tories for all of these special positions that were doled out to virtually every member of the government caucus save and except those bad boys and girls who managed to get themselves into the proverbial doghouse or woodshed. Remember that, Mr Speaker? Remember those people who would get to the woodshed? We all had them.

Some woodsheds were bigger than others and some doghouses were less comforting than others. It used to be, when I was first elected—and the Speaker might remember this—the way you got yourself into a cabinet was you got aggressively bad and then they put you in the cabinet just to shut you up. Larry Grossman found that was the fast route to the treasury bench, and he embraced it happily.

I simply want to make the point that we have to, as we look at the question of the payment of members, understand that there are some new realities. The length of stay has dropped dramatically, and there's no indication that that's going to change. I think that is a happy thing for our democracy. It means that it is more vibrant, it is more fluid and more possibilities could conceivably obtain, but with the increased volatility meaning a much, much shorter length of stay and the attendant issues around conflict of interest.

I have felt that the Rae government's position on conflict of interest, while it had a kind of high-minded philosophical appeal, was in many respects completely unfair and impractical to the rural and small-town Ontario that I know. I've got to tell you that some of the ingredients of the current government's position on conflict of interest make it impossible for a number of people who I think should consider coming to Parliament ever likely doing so, because they would be expected to divest themselves of family businesses and other such enterprises that I certainly wouldn't divest myself of, not for the uncertain business of politics.

I accept that we've got to have and we do have a different standard around conflict of interest today than we had in those years when, not that many decades ago, an Attorney General could at one and the same time represent Her Majesty in the courts of the province and perhaps represent young Elston in some civil action that might be ongoing with his neighbour Conway who was

doing terrible things to the fence line or whatever.

But the conflict-of-interest issue is real and we better understand it. We better understand that as we tighten that screw in a political and parliamentary culture where length of stay is becoming shorter and shorter, we're going to get some results, intended or otherwise.

I want to make a couple of final comments before I just take my seat. One of them is not a very polite one. I hope my friends the members for Parry Sound and Carleton—you need to be around here a while but, boy, there's nothing that gets my blood boiling more these days than the authority that the media are going to for an objective analysis of members' pay and pensions: Robert Fleming.

#### 1600

Norm Sterling, do you remember Robert Fleming? Robert Fleming used to serve in this place as the director of the Office of the Assembly. Now, I won't say the things I want to say about Robert Fleming, because they're not very polite and they're probably actionable, but I've got to tell you that it makes my stomach turn to be lectured to by Robert Fleming on the subject of a proper and delicate relationship between the citizen and the public purse.

I will leave it there. I am quite prepared to be lectured to by a lot of people about the excesses of the political class, because, from time to time, we clearly need that lecture. But I'm telling you that Bob Fleming, late of the Office of the Assembly, is not a person, in my view and on the basis of my considerable experience in this place, who ought to be giving one scintilla of advice and guidance on that subject.

Now, a final point is that as we look to the next few months and the next few years, clearly we're going to want to make some change. I think it is important, as I said earlier, to make change on the basis of reality, on the basis of the good advice that will be provided, not just from inside the assembly but from outside, and to make change that is clearly going to respond to those two or three areas where there is now a public consensus. The change must be made, because the status quo is inappropriate, if not indefensible.

But I would ask that we not throw the baby out with the bathwater, that we try to recognize that the broad public, particularly in this province, is a moderate, sensible, generous public. I think if we make a reasonable case on good data, we will get a good hearing, because it is my view and it is my experience that my neighbours understand the burdens and the difficulties of public life and they don't want to return to a time when, in this province or in other provinces—I live on the Quebec border. People in my community of Pembroke well remember the political culture of the late Maurice Duplessis. We all know, and I certainly know from the point of view of reading the literature.

I think of Mike Pearson. There's a wonderful new biography of Pearson. Interesting it was, and not at all surprising, that when Pearson came to the Parliament of Canada as member for Algoma and minister of foreign affairs, one of the things that he had to have done for him was a fund created to supplement his income, because in his family circumstances he had no personal wealth.

He had been a public servant of some distinction and rising rank through the 1930s and 1940s with the Department of External Affairs, but when he was asked to join the political ranks, he looked at the uncertainty and the pay scales and said, "I'm going to have to get some help." A fund with a wonderful name—I think it was called the Algoma Fish and Game Club—was created in which private moneys were put and on which Mr Pearson could draw annually and apparently did draw the entire 20 years of his very distinguished parliamentary life.

I know, quite frankly, that similar arrangements have been made for just about every party leader in the federal place and, I dare say, in this place as well. I know what the obligations are upon a first minister and on other party leaders and I know what the literature suggests.

I remember the case of Claude Wagner, a prominent lawyer-judge from Quebec. It was revealed that when he came to the Parliament of Canada a special support fund had to be provided for him. The fund that supported William Lyon Mackenzie King was very considerable and he drew on it shamelessly.

I also know the private experience of a lot of people in public life who, when they weren't paid an adequate salary, made other arrangements. The scandals of Parliament: I think of the great Beauharnois scandal of the 1930s, how wonderful people in Parliament got soiled because they were looking for money, money that they probably needed to sustain themselves in their public lives.

When one looks at the potlatch that is now the Congress of the United States, one does not want to see, hopefully, that kind of activity here, and I think we've got to have a policy that is realistic, that is defensible, that recognizes that this is in the main now either a full-time job or a job that is sufficiently full-time that one cannot maintain another life easily within the bounds of conflict of interest now to sustain an individual.

We've got some very delicate questions to address. The individual circumstances of members are going to vary, from the pension bliss of my friends from Durham East and Lanark-Renfrew to a situation, and I'll pick on my friend from Bruce, who is about my age and who has five little children and a wife who I believe is at home looking after those children. I'm sure there are people on the other side who have exactly that situation.

I am very, very careful in any comments I make to ensure that people understand that Conway is, in this respect, as in perhaps too many others, a bit of an exception. I accept that and I am very, very careful not to parade out as any kind of an average situation. I don't want to do that.

However, I'm not going to take the fall for at least one part of our pension benefit entitlement, which in my case is just inexplicable and indefensible to my constituents. I fully intend, when my time comes, either at retirement or an electoral boot, to go and work in some other place for as much income as will be required to get me through the Canadian winter.

I say in conclusion I support the government initiative in this respect. We must as honourable members see our pay cut, as painful as that may be for some people, because we must lead by example. I would hope, as has been indicated by the member for Markham, that elected members across the province are going to show a similar example to their communities, because I think if they do not do so in some reasonable fashion, they can expect a whirlwind of public reaction they are not going to find helpful or positive.

As we move forward in the coming months and years, but hopefully to conclude before the next election, I would hope that as a Parliament, as a group of members of three political parties, and now three independents, we can sensibly arrive at a new consensus around the very delicate, always thorny question of parliamentary pay, pensions and related perks to construct a new regime that is fair and sensible to both honourable members elected here and the taxpayers outside who pay the freight for all of us.

**The Acting Speaker:** Questions and/or comments?

**Mr Elston:** Not to take up much time and perhaps to substitute a couple of minutes of speaking time for another intervention on this, I have to say, as always, it's enjoyable to listen to some thought-provoking pieces of information from the member from Renfrew and, from the perspective of a person who is already serving here, obviously some good advice as to looking after the future of those who will succeed us. It's not a question of people will. There will be people here in this chamber doing this work, and those of us who are doing it now understand very well what prices are exacted in relation to all of our lives.

**1610**

I think it's important to note that while there's a great deal of support, sometimes hesitatingly given, on this issue, it has to be noted for the record—and I was unable to listen to the remarks at the beginning of the honourable member's speech—about the issue of actually doing something with the savings of the social contract. This is part of the 5.5% of wage and salary expenditure savings. This is supposed to rein in or at least be an assistance to reining in the deficit. It is

supposed to make our fiscal situation far better.

I guess for all of us, we would feel somewhat more content if we really expected this pay cut to actually be used wisely and in any fashion in a way which would actually make a contribution. I'd just note that the shaking head on the shoulders of the Minister of Finance would indicate that he does not agree with me, but Spot-On Floyd has been so far unable to manage the deficit of this province, and in fact has done some things economically which have really turned the economy on its head and have precluded any real recovery from occurring.

I make those comments only in assistance to the member from Renfrew in his considerations.

**Mr Daigeler:** Indeed, as is his wont, the member for Renfrew North—

*Interjections.*

**The Acting Speaker:** Order, please. The member for Nepean has the floor and a very short time to participate.

**Mr Daigeler:** Could I get my two minutes again, Mr Speaker?

*Interjections.*

**The Acting Speaker:** Order, please.

**Mr Daigeler:** I presume I will get my full two minutes here.

As is his wont, the member for Renfrew North has spoken very eloquently on a number of issues on the broad question of the remuneration for members. I want to restrict my response simply to one item that he mentioned, that basically we're all here because we want to contribute a service to the public.

As I indicated in my remarks earlier, I think all of us were prepared from the beginning, from day one, when it was first announced that there was going to be a restriction on remuneration in the province, this so-called social contract, that we were going to be affected by it as everyone else.

Frankly, I was very astonished when I seemed to get the impression from the press reports this week that either the press or the public seemed to be surprised that we were cutting back our salary as well. I should tell you and I should tell anyone who would like to listen that as soon as this was first announced several months ago, I did tell both my wife—because she's affected by this as well—and my staff that obviously if the public sector is going to be affected, we are members of the public sector and we would be in the same way touched by these restrictions as everyone else. Again, my point is simply to say that I was surprised there was any question or any doubt in anybody's mind that we would be in the same way affected as the general public.

**Mr Stockwell:** I listened with interest to the member from Renfrew's discussions on this issue. I thought they

were reasoned, very non-partisan. They came, obviously, from his opinion of what he's gathered in his 17 years, if my calculations are correct.

**Mr Conway:** Eighteen.

**Mr Stockwell:** Eighteen years? Sorry. I didn't listen well enough.

One thing I'd like to discuss is the pension issue. I understand from the government and the Premier himself that we're going to debate the pension issue for all members come the fall, and I think that's something that needs to be done. There's no doubt. The comments from the general public about our pension, although sometimes uninformed—they're outraged. There's no doubt that they're outraged.

I'd also like to carry that debate one step further. I would love to see the government, during this debate on pensions, examine all pensions for all public sector employees. I'll tell you why. There's a group of people I have talked to in the past who are becoming offended by the fact that 50 cents of every buck in the pension plan comes from their tax dollars.

They're private sector people, they work for their money and they don't have pension funds where they work. When they want to save up for their retirement, they do so with the money that they're paid after tax, RRSPs or so on and so forth, or they put money aside for their own pension.

**Hon Mr Laughren:** There's a tax advantage to that.

**Mr Stockwell:** There is a tax advantage, granted, but the tax advantage is nowhere near the advantage you have by having the taxpayer contribute every buck for the buck that you contribute to your pension plan. There's great discussion about our pension plan, but I think there should be some discussion about civil servants, teachers etc, their pension plans, because believe it or not, there are a significant number of people out there who have no pension. They work very hard and very long and nobody contributes to their pension plans but them. I think those people have a right to know how come, if you work for the government, 50 cents of every buck that they pay into the system in a pension plan is contributed by them, and not a nickel comes back when their pension plan is being discussed for their own personal use.

**The Acting Speaker:** We can accommodate one final participant.

**Mr Mills:** I know that since I've had the privilege of serving the people of Durham East in this Legislature I've always enjoyed the speeches from the member for Renfrew North, because I always look forward—

**Mr Elston:** Not always.

**Mr Mills:** Always, honestly. I always look forward to some touch and glimpse back in history, and I know that today he edged towards some historical comment and I thought that he was going to get into it but he

really didn't. Nevertheless, I think some of his comments are very apropos and I'd like to see us moving along to get some independent body to come to grips with not only our pay, but our pensions, the whole issue of remuneration for MPPs. Then once that has been placed before the government, it should vote forthwith on that and not step back.

I can remember some time ago, as a former alderman on the city of Barrie council, we had some evaluation done for all the city employees. A lot of people didn't want it done, but I thought that it should be done and supported that. I must say that it was very important for the public, the taxpayers of the city of Barrie, to understand what their staff did and that they got the correct remuneration.

I'd like to see that here, because we can keep on like this, going around the mulberry bush, but we need an independent evaluation of this job, an independent evaluation of what we should be getting and an independent evaluation of the pension scheme. Then once we have that, it should be put into place, and the quicker the better, and put all this nonsense and discussion vying one person against the other to bed for ever, and I thank you for the few minutes I've had.

**The Acting Speaker:** The honourable member for Renfrew North has two minutes in response.

**Mr Conway:** Quickly, to respond to two or three of the comments publicly, and one private comment: I think the member from Orono is right. I think we have to take some good outside advice, but I want to be clear that at the end of the day we have to make some tough political decisions ourselves. We can't imagine transferring this down to some outside body. Yes, to a certain point for certain information and technical detail, we need that, but we've got to be prepared as a political class to take some tough decisions, to tell the truth and the whole truth, the painful truth as well as the easy truth, about the reality of a public life in the 1990s and the kind of remuneration, all dollars in, that is sensibly required.

As I say, my real salary now is somewhere between \$65,000 and \$70,000 and I'm ready to tell people that. It would make me happy just to have that paid to me as an upfront salary, have it taxed at a full rate, and some adjustments on pension made accordingly. But I think we have to make those political decisions and we have to make them as a group and be prepared to stand behind them.

I want to say, in support of something the member for Etobicoke West said, that, boy, I'll tell you, gone are the days when I'm prepared to stand here and be part of some exercise in self-flagellation about my parliamentary pay, and stand by and in the name of Her Majesty allow a whole bunch of things to be done in my name by Her Majesty's loyal public servants that, at the middle and senior levels in some respects, are

absolutely outrageous. Like the member for Bruce, I had to sit in cabinet and approve some separations and some two-for-one deals and three-for-one deals that, boy, make what we do look like nothing.

Finally, I think it was Bill Kilbourn, the Toronto historian, who observed that politics is at one and the same time the noblest of the arts and the most soiled of professions. I think there is a tremendous nobility in the business that we do and I think of people like Ian Scott, to take a friend of mine, who came in here and was prepared to serve for seven or eight years, had a cut in pay that must have been fantastic. I think that's real nobility.

But there is some soiled linen in these subjects of paid pensions and perks that we must, in Her Majesty's name, deal with.

**The Acting Speaker:** Further debate, the honourable member for Carleton.

1620

**Mr Sterling:** I guess some of the members did hear my talk on CFRB and the response to questions that were placed, and I answered them in the most honest and forthright fashion that I could. Quite frankly, that's been my practice during my political career, and it's paid off with five re-elections, so I guess it has worked in the past. When we're discussing this today, perhaps it hasn't paid off.

I want to talk a little bit about the issue of what this negative 5.5% decrease in our pay is about and what it will mean in the public realm and those kinds of things, because I think that's important.

The member for Durham East talked briefly about the federal government. He should know that Mr Mulroney's cabinet cut back their cabinet salaries by 10% two or three years ago. The amount of public support and the amount of news media is reflected in your remarks; you did not know about it, nor do the public know about that. I suspect that the 5.5% pay cut we will take today will not attract near the attention that the Senate increase of \$6,000 towards their expenses did. So let us not kid ourselves in terms of the amount of credit which will be achieved here today.

In fact, when I went back to my constituents this past weekend to talk to them about the 5.5% decrease, none were aware that members of this Legislature had not received an increase in their salaries over the past three years. If one wanted to take the 5.5% decrease in salary that we are voting ourselves today—and no one is going to vote against that, because it's imprudent at this time to do so, and in spite of what has gone on in past history, we have to deal with what is there today, and we must show by example in terms of taking this decrease—and one subtracts the 5.5% from what we were receiving in 1990 and takes it back to where in fact we will be after this decrease, we will be back to

the wages which MPPs were receiving in 1987, and those wages will be frozen until 1996.

I ask you, Mr Speaker, if any elected representative, if any public official, if any civil servant has frozen their wages over a nine-year period. That's effectively what we're doing today. In fact, what we have said is that an MPP is going to be paid in 1996 what he or she was paid in 1987. I just throw that out because there's going to be an election in between that period of time. In 1995, all three parties are going to be going out and asking for candidates to come forward to put their names on the ballots, to leave their occupations in order to run to be members of the Ontario Legislature.

If we want to have people in this place who are experienced, who are able, in the private market, to command a salary in excess of what they earn in this place, which is approximately \$70,000 for the ordinary MPP when you gross up the tax-free allowance, I say it's going to be extremely hard in some cases to encourage people to come forward who are able in the private sector to earn salaries which in this place are much less.

This will not be the first decrease, because in 1976, when I was a lawyer, the last year that I practised law, I earned \$82,000 in my private practice. If you can imagine what \$82,000 in 1976 is worth today, it's probably worth about \$150,000. I went from \$82,000 to about \$40,000 as an MPP. I think there are some people who are willing to make that kind of commitment to become members of the Legislature in order to do what they want to do here. I have not been sorry I made that particular sacrifice myself. I consider this job as being one of the best in world, or one of the best that you can have, because I really believe that you have the opportunity in this place to help a number of people, you have the opportunity to influence the future and you have the opportunity to do a lot for your community.

I think I've done some of that. I think I've been successful in doing some of that. I don't want anybody who is watching or listening or would read these comments to say, "Well, that's sour grapes; he's saying now that he could've had this, but he hasn't got that," and all the rest of it. That's not the case. I'm not sorry that I didn't take the other option.

I also want to talk about the gap. I want to talk about the gap between what some members receive as cabinet ministers and what the other members of this Legislative Assembly receive. The gap now is somewhere around, I believe, \$30,000 or \$35,000 a year. The member for Renfrew North believes that a cabinet minister earns that extra money. I think that possibly that's true. I don't know whether the remuneration of a member or a cabinet minister is really set on the basis of what you do, how hard you work.

I dare say that the Treasurer of this province works doubly as hard as the minister of corrections works because his responsibilities are far greater. I think that

as you would look through the cabinet, you would find a gradation in terms of responsibility and effort and pressure upon each of those cabinet ministers, so that you would take them all of the way up and down the grade.

One of the things I've perhaps noticed in my parliamentary career of 16 years, and what I have read about my predecessors, is that there have been so few cabinet ministers who have left the cabinet—lots have left the cabinet involuntarily, but there's only one, and that former minister is sitting with us today, and I congratulate Karen Haslam, the member for Perth—on a matter of principle. Now, Karen Haslam had to consider the loss of I believe something like \$15,000 or \$16,000 or \$17,000 when she made that decision, and I think it was a brave and courageous decision that she made on leaving cabinet on the basis of principle.

If a member is in a tight financial situation, is a member of cabinet, is earning \$32,000, has loyal staff working around him or her, it's a very difficult decision to come to when he or she is pushed over that particular hump as to whether or not he or she should retire from cabinet, give up that financial security in order to push a point of principle, because we all know that we can rationalize principle. The British parliamentary system is bereft with compromise, because we have to compromise. Each week as we go into caucus, we have to say, "For the good of the whole, we are going to compromise our individual position in order to do it."

What I am saying is that as I have sat here over the 16 years, the difference between what an indemnity for an ordinary member has become and that of a cabinet minister has grown wider and wider apart, because each time there has been an increase in terms of what the ordinary member has got, the cabinet minister has received that much more.

Therefore, I think that in a lot of ways our system has become compromised and that people will remain members of cabinet because they will factor into their decisions not only the principle upon which they are arguing, but they will have to bring into effect the financial security of their family, the financial security of the people who work for them etc.

I think that's borne out by history and the fact that we have had, over the past 16 to 25 years, in my recollection, only one cabinet minister who has left on a matter of principle.

#### *Interjections.*

**Mr Conway:** I think he was more animated in the parking lot the other night on this subject.

**1630**

**Mr Sterling:** I can always count on the support of my colleagues.

**Hon Ms Gigantes:** Some do deserve more than others.

**Mr Sterling:** Yes, you're right.

I think another thing that has become evident in this brief debate we have had is that when you're talking about indemnities for members, and indeed pensions, you are talking from extremely different circumstances for each and every member in this place. What happens on a general election day is that a person who might have held a very responsible job, may have been accustomed to a very high style of living, becomes an equal with someone who was unemployed, who hadn't had any security in his life before. You mix people of all different income backgrounds, you mix people from all different age groups, all into the same mix and you try to put out a formula which will be fair to all the people who have been elected in this great mix and try to explain that to the public as being fair to everyone.

The member for Durham East rose to debate my friend from Etobicoke West when he talked about the number of extra stipends which are available to various members around this Legislature. As the member for Renfrew North said, it's not only the New Democratic Party which has practised this; his government had more stipends, because there were more members on the government side. I counted them up. There were 88 during the Liberal reign who received stipends, on the back benches and on the side benches. There are 69 now on the government side. I don't know what it was during the Conservative reign, but I dare say virtually everyone had an extra stipend. And within this Legislative Assembly, out of the 130 members, there are about 100 members who receive extra stipends. I think there are 11 or 12 in our party and there are 13 or 14 in the official opposition.

So the very nature of our system is dishonest in terms of what we tell the public we are receiving in compensation, and I think that is wrong. I think we should be upfront. I think we should deal with the non-taxable portion of our pay and gross that up so that in fact we tell the public that we are earning, well, it's about \$70,000 in real dollars when you count in the advantage of the tax-free allowance of \$14,000.

We have another phenomenon that's taking place in this province. We now have a situation in Metropolitan Toronto where school board trustees are earning more than members of this Legislature.

**Mrs Haslam:** Boards of education directors.

**Mr Sterling:** I'm not talking about hired people; I'm talking about elected people. We have councillors in Metropolitan Toronto who are earning as much or more than members of this Legislature. I thought they were junior governments vis-à-vis the provincial Legislature. We're going to have a newly created, according to this government, directly elected regional council in Ottawa-Carleton. We seem to be going down the path to creating almost mini-provincial parliaments across this province.

I truly wonder whether or not all of these politicians, us included, are going to have enough to talk about, enough issues to deal with, if we are starting to create more and more positions, more devolution of power down to regional municipalities. We are, I think, muddying the water and creating too many politicians to do the job.

I think it's perhaps time to deal with the overall ability of not only this Legislature to pay what it should pay, but also what junior governments—and I know they will not be appreciative of my description as junior governments. But I think we should restrict how much those junior governments can pay their people, because I think it's gotten out of hand, it really has gotten out of hand. Effectively, what we have done is create full-time politicians in many institutions where it's unnecessary to have full-time politicians.

If you create full-time politicians at the lower levels of government, at the municipal level, at the regional level, municipal politicians, as all politicians, will find enough issues to fill their day. What is happening, in my view, is that junior governments are entering into policy areas at the provincial level. They're involving themselves in social welfare issues when perhaps those issues should be dealt with at the senior level of government in this province, at the provincial level, if that's what we are to do here.

Either that or we close this place down for nine months of the year and make this a part-time occupation and come here for two or three months every year, or perhaps every two years, as they do in some of the large states in the United States. In some states in the United States, they don't sit every year. They sit for 60 or 90 days every second year and deal with all of the legislation over that period of time.

**Mr Conway:** Didn't the FBI just indict half of the South Carolina Legislature?

**Mr Sterling:** They might have indicted half of them. In some of the states in the United States, there are no conflict-of-interest rules, and some of the people act as lobbyists while they sit as members of the Legislature. As the member for Renfrew North says, I don't think we are about to turn that particular way.

We are in a difficult situation in terms of the indemnities for this Legislative Assembly. But I've heard the member for Durham East, and I've also heard the member for Ottawa West, talk about setting up an independent commission to deal with the salaries and the pensions and everything else. That's been tried for about 15 years. What happens is that each year the commission comes in and makes a recommendation, and what happens? It goes to the Legislative Assembly committee.

I'll never forget, as a member of the Legislative Assembly committee during the Liberal term in power,

about 1988 or 1989, that this independent commission came in with a recommendation. The Legislative Assembly committee said: "That's too much. We think it should be this." The media took the report of the Legislative Assembly committee down to the Premier of the day, Mr Peterson, and Mr Peterson said, "No way those members are going to get that much," and that was the end of it.

That's what happens around this place. The fact of the matter is that this hasn't got anything to do with members. Salaries of members, salaries of cabinet ministers, have to do with the leaders of the parties. It has nothing to do with consultation; it has to do primarily with the Premier of the day. If they think they can withstand the heat, they may give members of this Legislature a raise. If they want to take advantage of the political situation by giving us a pay freeze, as was the case with Mr Rae three years ago, although he didn't get any credit for it—

**Mr Elston:** Yes he did; a one-day headline.

**Mr Sterling:** A one-day headline or whatever. He will get some credit for a 5.5% deduction at this time. Mark me: He will get the credit for it. The Premier always gets the credit for it, and he will take the hit if he ever increases the salaries.

The consultation with regard to this whole matter was in the form of a letter to my leader a week ago as to what was going to happen here. The consultation took place a week ago Tuesday in our caucus, when we were told what was going to happen to us. That's the kind of consultation that takes place with regard to payment of MPPs' salaries. It is strictly a leaders' issue.

Quite frankly, members of this Legislature, if they ever feel strong enough to deal with this, will have to deal with their leader, whether it be the Premier, the Leader of the Opposition or the leader of the third party. In my view, again, there is some benefit to the present system of having MPPs paid at very different levels and the leaders of the party having all of those various and nefarious different strings to pull if they should need to pull them in order to pull the members into line.

**1640**

I think that's my experience over the past number of years, and the fact of the matter is, I don't know whether we'll ever be able to deal with this issue in a reasonable fashion. I do think it's important, to be fair to members who would be elected after the next election, that the Premier and the leaders of the parties, as they are now, should put forward a very clear vision as to what they are going to put forward as the pay for members in the 1995-2000 Legislature, as to what they're going to put forward as a possible pension for those people, so that people can approach the running for this place with an open mind and they will know what in fact their compensation will or will not be.

The last comment I would make is that when we brought in, I believe, wage controls back in 1983—I was a member of cabinet—those wage controls were applied differently to people who received different amounts of salary. Those who were at the low end received a 1% or 2% cut; those at the high end, I believe, received 3% or 4%. I can't be as accurate on the amounts, whether it was one or two or three or four, but what I want to say is, there was a scale.

I thought this Premier, if he wanted to show the kind of leadership that he's trying to exhibit in terms of his government, might have said to his cabinet and his cabinet colleagues: "We are earning \$30,000 more than the ordinary member. Perhaps it is incumbent on me as Premier, as Brian Mulroney and the federal cabinet did, to take 10%, twice as much as we're asking the public sector to take, and the ordinary MPPs, who are earning less, might take 5% or 5.5%." So you'd have a gradation in terms of people who could presumably afford to take the cut or who couldn't take the cut.

I only put that as sort of an innocent suggestion, that perhaps when we're dealing with things in terms of cuts, they should be spread to those who most likely can afford to take those cuts, and I would assume that those earning more could take the larger cut.

**The Speaker (Hon David Warner):** I thank the honourable member for Carleton for his contribution to the debate and invite questions and/or comments.

**Mr Mills:** Just briefly, I would like to thank the member for Carleton for his speech and his update on everything. I'd just like to make a correction to something he said, in that I was aware that the federal cabinet, the Conservatives, had taken that pay cut. But when I gave my two-minute rebuttal, what I was trying to point out was that the MPP—in my riding, I'm taking considerable flak as some sort of well-heeled fat cat living off the fat of the land, but the—

*Interjection.*

**Mr Mills:** Well, that may be as it is. But the federal MP whose riding is identical almost to mine, except for the town of Uxbridge, who has an office with less staff in it than I do, which would indicate to me that I have a bigger workload because my staff is twice as big—

**Mr Stockwell:** Give me a break.

**Mr Mills:** This is a fact, and a provincial MPP is impacted by all the things in Ontario. You're impacted by the decisions of the MOT etc.

But my point in rebuttal to the member for Carleton is that, notwithstanding the fact that the cabinet took 10%, the federal MP in my riding is receiving, apart from allowances and all that, in actual cash, \$20,042 more than I am, and the press is not taking any notice of that. They're on Gord Mills's back, because I'm the fat cat, while he escapes. I just bring that up for some discussion here.

**Mr Conway:** I want to congratulate my friend from Carleton for a very thoughtful and balanced discussion of an issue that he has followed with perhaps a keener interest in the last 15 years than some others. He's quite right in pointing out that he's been very actively involved with the Legislative Assembly committee through some of its deliberations.

He made a couple of comments that reminded me of something I wanted to raise as well, and that is that we must, I think, in this process ensure that we continue to make it possible and realistic for a wide range of people to come to this place. I am concerned, quite frankly, because I have been out over the years on the recruitment trail. I have been told by railway conductors and teachers and journalists and a variety of other regular people that they could not and would not come to this job because they would not take the pay cut.

I'm not talking about plutocrats, I'm not talking about independently wealthy individuals. I'm telling you, on the basis of a lot of experience, a lot of middle-income people, when asked to consider standing for nomination and election, have told me that they would not, given the pay level and the insecurity, stand for nomination and an election. I worry that we are going to drive ourselves to a situation where, for example, small business people are not going to want to come here because of all the factors: the levels of pay, the conflict-of-interest rules.

I was just saying to my friend from Etobicoke West, we've got, thanks to Bob Rae, conflict-of-interest rules now that I believe make it virtually impossible for any small business person to be in government. My friend from Elgin is here and probably would want to agree with me.

A second point has to do with what's done in other places, like Britain, where the levels of pay are historically low. What happens there is that you get, on the Tory side, very well-to-do Conservatives standing and being re-elected in very safe seats and, on the Labour side, a commitment from organized labour to subsidize to a substantial extent parliamentary salaries. I don't know that we'd want to go that way either, though I think we have begun to do some of that on the latter account.

**Mrs Haslam:** I'd like to thank the member for Carleton for his comments also, and the reason I'm standing is because you mentioned me in some of your comments. Maybe it would help people out there who do watch the station to understand that yes, I am one of the very few backbenchers on the government side and I make, as a base salary, \$43,000. That means, take-home pay, I get maybe \$31,000. In my riding, there are many who make more than that.

On top of that, we get a tax-free \$14,000 for expenses. We don't write off the lunches and dinners that we pay for when we have people come to visit us

here in Toronto. We don't write off any expenses in our riding when we have people whom we take out or when we go for things. We don't write off a clothing allowance, we don't write off our dry-cleaning, we don't write off the car, we don't write off the taxis that I have to take in Toronto if I have a function to attend that's outside the jurisdiction here. I can't even write off my subway tokens. I write off nothing. That's what your \$14,000 in expenses is to cover and, believe me, that is what you spend. You probably spend more than that in expenses.

It's time people did realize that when the member from Renfrew says that people say, "I don't want to run, I wouldn't take that job because of the pay cut," that is accurate. Teachers take a pay cut. Principals make more than a minister in the government. Business people take a pay cut. Lawyers take a pay cut. I don't want to see only those who can afford to be here on a volunteer basis or only those who have another business to take care of their families be the only ones to run for this spot here. I think it's important that we get good people in this Legislature.

**1650**

**Mr Perruzza:** Very briefly, in responding to some of the comments, I've listened to some of the debate, and my friend from Carleton essentially talked about the same kinds of things that everybody else has talked about.

We all understand how difficult it is to make the decisions on your own pay. It would be really easy for us to be able to have an independent office which said, "The job of an MPP is worth the same price as that of a school teacher or that of a construction worker or a social worker or a lawyer or a doctor," or what have you; said it and it's done.

It becomes very difficult when we engage in that kind of debate in here, because I know what I do as an MPP. Quite frankly, I can't make the same assessment for every other MPP in this place on what it is that they do and how they spend their time representing their people, but in no way, shape or form would I presume or try to undermine the worth or the value of any member in the Legislature.

I can tell you that when I was first elected, I was elected a trustee and I was making \$14,000 a year. I thought that was great. I lived off it. I was essentially a full-time trustee and I did the work. Then I was elected a municipal councillor and I was making \$44,000 or \$45,000 a year. You make the adjustment. There's more money, but that's not something I ever looked forward to. That's not why I got into public office in the first place, because of the remuneration.

Then I ran provincially and of course the pay again went up, but that's not the reason why I've ever done this work. I love the job. I love to be able to represent the people in my community and I love to be able to

contribute. I just wish that we could have an independent body assess the value of what a member in this Legislature does, and that would be the end of it, so we could stop the sanctimony.

**The Speaker:** The member for Carleton has up to two minutes for his reply.

**Mr Sterling:** I thank the members. I want to respond to the last speaker, the member for Downsview. We have had independent commissioners in the past, we've had independent people tell us that we're worth more. What traditionally has happened over the last 10 years in all these reports is that they come in and they say basically that we're worth \$5,000 or \$10,000 or \$15,000 more than we're being paid.

The problem is that there's never been the political will of the Premier of the day, be it Premier Davis, Premier Peterson or Premier Rae. None of them has been able to say, "We will accept what an independent body has determined as to what the value is." Therefore, consequently, we go on with the same kind of process as we're going through today and react to what happens day by day.

At the federal level, one should know that the salary is fixed for each MP. That salary goes up by the rate of inflation each year and that's the end of it. The MPs decide whether or not they're going to take that increase and that's the end of the process.

We are today debating a 5.5% decrease in our salaries. Notwithstanding the fact that, as many members would argue, because of the nature of the job, our heads are on the line each three or four years, we have to show this example that we are willing to take this decrease, because many people out there are suffering to a very much greater degree than we are. Therefore, we have of course no option but to support this, and we will do so wholeheartedly.

**The Speaker:** Is there further debate on the motion?

**Mr Stockwell:** This issue is truly a mug's game in my opinion.

**Hon David S. Cooke (Minister of Education and Training):** You must feel right at home.

**Mr Stockwell:** I do. We'll run around this issue now for the next few months. We all know why this issue is before us. It's before us because the social contract is before us. No one in this assembly would feel comfortable asking bureaucrats and staff to take a 5% rollback unless they were prepared to do themselves.

If the economy were good and if the money were flowing in like it was during maybe the Liberal regime, we wouldn't be having this debate. We wouldn't be debating whether or not to roll back our salaries. We might be debating whether to hold the line or give ourselves a 4% or 5% increase.

To put this in context, this was brought on by the government's need to get a social contract with the

public sector employees. The rationale why everyone's voting for it is because it would be political suicide to stand up and start debating against this bill. You'd probably get a lot of heat in your own local riding, as well as from every single bureaucrat or broader public sector employee in your own neighbourhood. They'd be coming to you and saying, "How come I have to take a 5% rollback and you voted against it?" Really, you'd have a very difficult time explaining that one away.

It's ironic that it comes from this particular government, although I don't say that across the board, broad-brush. I don't know if any government would be prepared to do this during good times. But clearly, from my representation in the past with members of the NDP, when it came to salary hikes, at least at local levels, and my cursory review of Hansard with respect to salaries around this place, they were never too fond of talking about anything but an increase. I understand that as well.

I can honestly say that when I ran for this job I had no idea how much it paid, none whatsoever. The day after you won, I inquired as to the pay of an MPP. I was truly shocked to find out I would be making less as an MPP than I was as a Metropolitan Toronto councillor. It's a pretty substantial amount of money, actually.

**Mr Conway:** In real terms, what was it?

**Mr Stockwell:** In real terms, I think it was about \$3,000 or \$4,000 per year. I've often talked to my friends at Metro council, and they're making now in the mid-60s.

**Interjection:** One third tax-free.

**Mr Stockwell:** And of course they get the third tax-free as well.

**Mr Conway:** So what is that grossed up?

**Mr Stockwell:** Gross it up? You do the math. I'd probably say in the neighbourhood of \$75,000 to \$80,000 a year.

I talked to some people at the Toronto Board of Education who think that they should make the equivalent of a Metro councillor, so they make about the same. I talked to the members of the city of Toronto council who think that they're equally as important as the members of Metropolitan Toronto council, so they make the same as them.

I look around Metropolitan Toronto council. I see the board of education, I see city of Toronto council, I see Metropolitan Toronto council, all making in the mid-60s. Do you want to know the irony of this debate or why I'm entering into this? The irony of this whole situation was that when we struck Metropolitan Toronto council, directly elected under the Liberals—I think it was the minister, Mr Grandmaître, who made the move.

**Mr Steven W. Mahoney (Mississauga West):** Mr Grand Marnier.

**Mr Stockwell:** Grand Marnier. When they made the move, do you know what we based our salary on when we struck Metro council, directly elected? Members put a motion forward, and I think it was June Rowlands—I could be corrected but I think I'm right—who's now the mayor of the city of Toronto, who said a Metro councillor should be paid just as much as an MPP.

They thought that was a reasonable thing. I didn't think it was that reasonable, frankly, because I was in the city of Etobicoke. I was working in the city of Etobicoke and I was a member of Metropolitan Toronto council. So I had two councils and was a member of the board of control in Etobicoke. That was a fairly full-time job: 300,000 people in the city of Etobicoke, executive council member, member of Metropolitan Toronto council, a metropolitan area of 2.2 million. I was making \$44,000 a year.

**Mr Pat Hayes (Essex-Kent):** Double-dipping?

**Mr Stockwell:** No, no such thing. The only thing was, we were double-dipping when it came to work, but we weren't double-dipping when it came to pay. We didn't get that right. I had to come here and learn the double-dipping tune.

I went to Metro Toronto council and I said: "I don't think that's reasonable. I think MPPs are more important than we are." Of course, they looked at me like I had two heads. "Are you nuts? We're running a city of 2.2 million people. They're looking after places like Timmins and Kapuskasing and these out-of-Toronto areas." We were truly Toronto people. We thought the world revolved around us. So we paid ourselves \$57,000 a year.

Subsequently, we haven't got a raise in—is it seven years? But those guys did. They continue to get increases. They're now in the mid-60s, with a third tax-free. They have a bank of half a dozen to eight cars at their call when they want to go out anywhere. They have an executive assistant and a secretary, and they meet once every other week at council in the new Taj Mahal they built. They get more money.

1700

**Mr Perruzza:** And a per diem when they sit on the conservation authority.

**Mr Stockwell:** They get more money. Let's not talk about that. I'll get to that.

But what we have here is that we've got this whole situation all ass-backward, for the lack of a better term. Why? Because, what are we? We're humans, and when humans want to set their own salary, as long as the taxpayers aren't looking, they'll set a pretty good salary.

So now we have places in Metropolitan Toronto like the board of education in Scarborough, that just recently said: "You know what we need? We need about a 64% raise."

**Hon Ms Gigantes:** Fourteen thousand bucks.

**Mr Stockwell:** I'm not going to argue the amount. I don't want to argue the amount but, "We need a 64% raise." As the member for Downsview said, he got elected, he had \$14,000, he lived on that, and he thought he was doing well. Those members of the Scarborough board of education thought they were doing well and they gave themselves a 60% or 70% or whatever percentage increase it was, because they didn't think the people were looking.

And you know what? During those salad days of the 1980s—and I say this with all respect to the Liberals—nobody was looking, and this took place. So we end up with this kind of crazy system where a creature of the province—as they used to like to say to us when I was at Metro council, "You're merely a creature of the province"—is making more money than an MPP.

**Mr Mills:** Than the dinosaurs.

**Mr Stockwell:** Than the dinosaurs. So we stand here today, and I look down the street at city hall, and they're not taking a cutback, because the people aren't looking, and we are now looking at a 5.5% reduction.

**Mr Perruzza:** In all fairness, I think they rolled back a little bit.

**Mr Stockwell:** Did they? I haven't heard. Maybe they have.

But now, what do we make? What do we make? This is the big question that always comes around this room. If you listen to the member for Perth, who just spoke, she is convinced in her mind that she makes about \$30,000 a year after taxes. She'll go out and tell people that she makes about \$30,000 a year, and I think probably in her own mind she believes that.

**Mr Mills:** She's got the cheque stubs.

**Mr Stockwell:** She's got the cheque stubs, as the member from Durham would say.

Now we've got Mr Conway from Renfrew who's going around telling people, "Well, if you gross it out, I make about \$70,000 a year." If you had a conversation between these two within minutes of each other, you'd swear they were from different planets, let alone the same Legislature. We've got one making \$31,000 and one making \$70,000 and both doing the same job.

We have to define how much we make. Well, we can't define that, because some people want to count the one third and others don't. Then we want to count what a whip makes, and others don't make that. Then we want to count what a parliamentary assistant makes, and some don't make that. But when we add up the whole mess, 100 of us make more than \$57,000 a year. I think we got agreement on that. A hundred of us make significantly more than \$57,000 a year.

**Mr Mahoney:** How much do we earn?

**Mr Stockwell:** The member from Mississauga suggests, how much do we earn? That's a question you

have to ask yourself. Let me say, no one will measure what you earn other than your constituents. They're the only people who can tell you whether you're worth your money. I can't tell the member from Mississauga and the member for Downsview can't tell me.

In 1995, we'll all find out what our constituents think. And you know what? That's the only important message anyway.

**Mr Joseph Cordiano (Lawrence):** Let every member set their own pay.

**Mr Stockwell:** Let every member set their own pay? Well, I'll tell you, I'd be a one-term member.

**Hon Mr Pilkey:** Finally, a true statement from the member for Etobicoke.

**Mr Stockwell:** These are all very, very true statements. I know the mayor of Oshawa would love to get into this debate if you were allowed, because I know you've got some points you want to put on the record. I read some of your comments when you were mayor of Oshawa, and they were interesting comments. They wouldn't go along with the 5.5% reduction today, but they were fairly interesting comments, when you were mayor, about what a member of Oshawa council and a mayor would be worth.

But you know what? When it comes down to it, we're in politics and the politics of this issue is, everybody sucks it up, grits their teeth, smiles sweetly and said, "God bless us, I think we deserve a 5.5% reduction," and nobody believes it. We know nobody believes it, so it's an exercise in public relations.

We haven't had an increase in three years, and we're going to get a 5.5% rollback. I accept that fact, and I think it's a reasonable thing to do during these tough economic times.

**Interjections:** Grit your teeth.

**Mr Stockwell:** I'm doing it. Now that I'm on the record and I've swallowed hard and said all the right things, as everyone else in this room will say all the right things, I wish for once we would do two things out of this exercise: that we finally establish a firm and concrete figure of what an MPP is worth. Is it \$70,000? Is it \$75,000? Is it \$65,000? Is it \$60,000? We can decide that.

**Mr Perruzza:** Try \$40,000.

**Mr Stockwell:** If it's \$40,000, it's \$40,000. If it's \$35,000, it's \$35,000, but that we're all singing from the same songbook.

If you want to be a parliamentary assistant, do it as magnanimously as you should, out of the heart you know you have, and be a parliamentary assistant for free. If you want to chair a committee, do so because you're interested. If you don't want to go to committee, don't go to committee, but pay us all the same. If we're all worth \$65,000, just pay it, because I can't keep

explaining to my constituents how Karen Haslam makes \$31,000 and Sean Conway makes \$70,000. It's too hard to explain, and it's too hard for me to explain to them how somehow I make \$57,000.

As I said to the member for Downsview, don't strike any more committees of outside consultants. I don't want to hear from outside consultants, because they'll interview 130 members and they'll be convinced they got 130 different interpretations of what they do and how much should be made, so you'd never get a resolution there.

You strike a committee of all-party members and determine once and for all what your pay is, take your 5.5% reduction, suck it up and say you've lived with the social contract for three years. We'll all go back on the campaign trail next time and stand before our constituents and say: "This is what the job is worth. This is how much I think I'm worth. If you don't think I am, then you're just going to have to vote against me." Finally, we'll get a resolution to this argument, and we'll stop the fist fights and debates and arguments in the caucus meetings, which drive me nuts compared to the fights in this assembly.

**Mrs Irene Mathyssen (Middlesex):** Oh, an admission of what it is like in Tory caucus, eh?

**Mr Stockwell:** Yes, member for Middlesex, there are fights in our caucus as well. We each have about 20 members left going to our caucus meetings, so they're about the same length of time too.

I say take your 5.5%, ask the Premier to strike a committee, decide how much we're going to get paid, abolish the pension plan because it's crazy—you'll never defend it and you'll get booted out if you try and defend it—determine how much this job is worth, minus the pension plan. If you think that doing away with your pension plan is worth x amount of money, say so, and put it into the base pay of an MPP and decide that's the way we're going to go. But in the end, if we don't make some kind of decision, you know full well that with the next government, we're going to be in exactly the same debate we're in today.

If we can get an all-party committee, nobody can get an upper hand during the campaign. It would become a non-issue, and the electorate would understand exactly how much each individual member is being paid.

Finally, in closing, do you think this is going to work? Nope, not a chance. I'll tell you why it's not going to work: because we're in the business of politics, and in politics, it's going to roll around to election time and we're going to try and outdo one another to gain support of the public so we can get to sit on that side of the House and introduce 5.5% rollback bills that we would have rather have swallowed our tongue than voted for in opposition.

Maybe it's an exercise in futility, maybe that's why

we're here, but at least I got a chance to get it off my chest, and at least I had a chance to publicly say to those people of Metropolitan Toronto council and the city of Toronto school board and the city of Toronto council, I can't believe you people still make the money you're making because the taxpayers aren't looking.

**The Speaker:** I thank the member for his contribution and invite questions and/or comments.

**Mrs Haslam:** We always find the member for Etobicoke West so entertaining when he joins us in the House to debate. Perhaps, if he doesn't think an all-party committee will be effective in dealing with this problem, maybe we could all decide together to make that member a one-person committee: We could make that member responsible, and he could make the decision about what he's worth and what we're worth and what the job's worth, and that might be a solution. But don't forget to tell people—I'm going to use up my time—that you live in a fish-bowl, your family lives in a glass house, you work from 6 in the morning till 11 at night, you don't see your family during the week if you're more than two and a half hours away—which a lot of us are; can't get home during the week if you don't drive—and if you're on the weekend, you work Friday, you work Saturday and you sometimes work on Sunday too. The only reason I have a period of time for my church is because I've adamantly said, "Don't book me from 9 in the morning until noon on Sunday, because I'm in church."

#### 1710

Maybe we should take some of those things into consideration and educate the public on what it's like to be in here, to be responsible. Yes, we're all here because we like it and yes, we're here for various reasons. We wanted to make a difference. We wanted to make changes. We wanted to be where the rules and regulations were.

**Mr Hugh O'Neil (Quinte):** Karen, I wonder if the press will print all this.

**Mrs Haslam:** I know. It's very interesting when you get here and find out who makes the rules, who runs things and who gets the input into the decisions. But that's why we're here. We like this job. We didn't run for the money. We're here because we want to be here. But after we get here we start to think: "Is this really worth \$43,000? I could be teaching. I could be a principal making \$80,000." It makes you second-guess.

**Mr Hope:** It could be an auto worker.

**Mrs Haslam:** It could be an auto worker. I think we should make Mr Stockwell the one-person committee to settle this argument.

**Mr Conway:** I want to just congratulate the member from Etobicoke. He has to be one of the most candid and interesting people I've ever listened to in this place, and I think he said some very telling things.

Two things in response: One, I just don't want to believe that the taxpayers of Metropolitan Toronto are not looking at what I think has been some scandalous misconduct at the local level. I mean, he has taken us through the list of and the litany of salaries paid to the Toronto Board of Education and what happened in Scarborough. I think those salaries have been out of line for years and I'm hoping and praying that taxpayers in the regional municipality of Metropolitan Toronto are going to haul those people to some kind of accountability.

I'm not suggesting that you should serve on a school board in Toronto for nothing, but I'm going to tell you that I've never accepted the argument that those are full-time positions. I sure as hell don't accept the argument that trustees at the city of Toronto should be paid, effectively, \$65,000 or \$70,000. I think that's completely out of line and I hope the taxpayers are looking and are going to cause some change. I know they will in Scarborough. Boy, will there be a day of reckoning in November 1994.

The final point has to do with the conclusion of the member that this is all going to be for naught. I hope he's wrong, because we've got to make change and there are some things happening outside the fence, as it were, and if we don't make some change, one of these days people are going to start looking outside the fence and there are going to be some stories written and some things found that are really going to be of some interest. I know that on a quiet day I could probably go and write a few of those stories myself.

It's not as though this is a static situation. There are some very interesting things occurring and we'd better start taking some action to make sure that we clean up this situation, and the sooner the better.

**Mr Cousens:** I want to commend the member for Etobicoke West for his remarks. The fact is that when you look at this subject it's one that people really have not dealt with honestly. Politicians around the province are today having to face up to the very serious matter that when you're elected to office, you're suddenly into the trough in a way that should not be done by people who are elected to that office.

It should be something done before you're elected to office, so that before you go into it there is a clear understanding of what the remuneration is going to be and that while those other people are in office they would then have to live with that and then, before they're elected again, another body, so that there is a fresh way of looking at it.

As it stands now, there hasn't been a Premier or a Legislature truly deal with this issue. Today, now, rightly so, we face up to the need to participate in this social contract in a very real way so that our own remuneration is affected.

I thank the member for his integrity and his honesty. I think you should know when you hear Mr Stockwell speak in the Legislature that he is just as vocal and just as outspoken in our caucus. If you really want to know who starts some of the fights, I think it's him. But he's also quite prepared to listen to others make their view, and I think today when he spoke he put his finger right on the button and honestly stated the situation as it really is.

Now, that's something the government hasn't done and it's something the previous government hasn't done and it's something the government before that didn't do.

**Mr Jim Wiseman (Durham West):** You've covered everybody.

**Mr Cousens:** I've covered us all. There isn't a politician in this place who hasn't come clean on what it is they're being paid, and I challenge all members of elected office in this country to begin to do it in a way that allows them to have some real integrity while they're there. It isn't there now at this point.

**Mr George Mammoliti (Yorkview):** Very quickly, I think I need to just get on record in saying a couple of things.

I think the member for Etobicoke West has raised some really interesting points and I would tend to agree with most of what he's saying. When he talks about different levels of government and perhaps the cuts that they should be making to their own salaries and how they should be looking at what's happening across the province, I would tend to agree with him.

I would also tend to agree with him if he were also getting at the fact that there were perhaps, and there still are, quite a bit of trustees and perhaps councillors who not only hold positions as councillors and trustees and make substantial amounts of money in doing so but hold other jobs as well.

I can tell you that in my particular riding there is an individual who holds a particular position as trustee and is a teacher at the same time. This is something that is not only irritating a number of my constituents but has also brought some—

**Mr Conway:** Happens all the time.

**Mr Mammoliti:** The member for Renfrew North says it happens all the time. Well, I agree with him. It does happen all the time, and I think we need to take a look at this and we need to take a look at how long this should happen and make sure it doesn't happen for a longer period of time. This is something I wanted to get on the record with. I think it's important and I appreciate the time.

**The Speaker:** The member for Etobicoke West has up to two minutes for his reply.

**Mr Stockwell:** I thank the members for Perth, Renfrew North, Markham and Yorkview for their comments. They were fair. The only one point I will

make is I don't want to be a one-man committee—I guess that's sexist—a one-person committee to review the income, because I'll tell you quite frankly, I would come back with something that I'm certain nobody would like, and there may be reasons for that.

There was some heckling from the member for Lawrence during my discussion about the fact that I have another business. It's probably been forwarded often, and there are some who suggest I can't honestly debate this issue fairly because I have another income, and do you know what? That's fair comment. There is a degree of fair comment there suggesting that I have another income, and that's the way it goes.

Let me just say this: I do earn my money.

**Mr Mahoney:** You work for it, don't you?

**Mr Stockwell:** I earn my money, and I have a payroll to meet and I pay taxes and I do a lot of things in my business.

**Mr Mahoney:** Take a risk.

**Mr Stockwell:** I have a very big risk there, and some days I wonder if the risk is worth it. It's a lot of money.

**Mr Gary Wilson (Kingston and The Islands):** Get the violins out.

**Mr Stockwell:** I'm not looking for a lot of sympathy, but what I'm trying to point out to you, Mr Speaker, is this: I'm not going to suggest to you people for a moment that this job, for some people, could be done in less time. That's a decision you'll have to make. I don't think I'm ripping my constituents off. I don't think the comment or the heckle is fair. When I ran for this job, I said to my constituents that I have a business and I'm continuing to run it.

I say to the government, if there's one mistake that you made that I fundamentally disagree with, you've excluded every small business person in this province out of your cabinet. You've done so because you've made it a conflict of interest to own a business besides being in the cabinet, and that is excluding a whole section of this province. Just like you wouldn't want to exclude school teachers or construction workers, you shouldn't exclude small business people. Small business people couldn't be in your cabinet if in fact you lived with those conflict rules, and that's wrong.

**Mr Cordiano:** On a point of personal privilege, Mr Speaker, if I may: I did not mean to suggest that the member for Etobicoke West was by any means not legitimately here in Parliament or that the fact that he was earning another income should preclude him from being here. I was simply making the point and emphasizing the point that that should be the case in fact and that we should consider the fact that people who do other things like run small businesses should not be precluded—

**The Speaker:** The member for Lawrence, I misun-

derstood. I thought he was entering the debate. He does not have a point of privilege.

Is there further debate on the motion? Seeing no further debate, Mr Laughren has moved government notice of motion number 9, which stands in his name. Is it the pleasure of the House that the motion carry? Carried.

**Hon Mr Cooke:** I believe there is consent to sit past 6 o'clock with the following order of business. I believe that's been agreed to. I've been told it's been agreed to.

As I understand the order for the balance of the day, the next order would be the sixth order, which is committee of the whole to consider Bills 32 and 34. Then there would be consent to do third reading of the two bills. Then we would go to the 31st order, which is unanimous consent to call Bill 84 for second reading. Then we would move a motion to discharge Bill 124 from third reading to move it into committee of the whole, with unanimous consent to move from committee of the whole to third reading when that was completed. Then third reading of Bill 124, followed by the 18th order, which is the second reading of Bill 50.

I believe that's the order for the balance of the day. With that, I would ask for unanimous consent for the House to sit past 6 o'clock.

**The Speaker:** Do we have unanimous consent to sit beyond 6 o'clock for the matters which have been listed by the honourable member?

**Mr Elston:** Just a minute, Mr Speaker. I think, in terms of the consent to sit past, it is constrained at least by the time of adjournment for the House, which I had assumed would be at 8:30 of the clock. There was really consent to sit from 6 till 8:30, from what I'd understood previously. I didn't hear that said. I may have not been listening correctly.

**Hon Mr Cooke:** The House leader is now here for our party, and that's my understanding as well.

**The Speaker:** The honourable member for Windsor-Riverside has indicated we will sit beyond 6. Is there a termination point?

**Hon Mr Cooke:** At 8:30.

**The Speaker:** Agreed? Agreed.

*Report continues in volume B*







## CONTENTS

Wednesday 28 July 1993

<b>MEMBERS' STATEMENTS</b> <b>Tobacco smuggling</b> Mr Cleary ..... 2871 <b>Legislative schedule</b> Mr McLean ..... 2871 <b>Fringe Nord Festival</b> Ms Murdock ..... 2871 <b>Social assistance</b> Mrs O'Neill ..... 2871 <b>Home care</b> Mr Harnick ..... 2872 <b>Opposition parties</b> Mr Fletcher ..... 2872 <b>Labour unions</b> Mr Mahoney ..... 2872 <b>Remuneration of elected officials</b> Mr Cousens ..... 2873 <b>Tenant activities</b> Mr Malkowski ..... 2873 <b>Casino gambling</b> Mr Drainville ..... 2873	<b>Jobs Ontario Community Action</b> Mr Cordiano ..... 2878 Ms Lankin ..... 2878 <b>Contaminated soil</b> Mr David Johnson ..... 2880 Mr Charlton ..... 2880 <b>Cleanup of industrial site</b> Mr Hansen ..... 2881 Mr Wildman ..... 2881 <b>Court reporters</b> Mr Callahan ..... 2881 Mrs Boyd ..... 2881, 2883 Mr Harnick ..... 2882	<b>Landfill</b> Mr Offer ..... 2886 <b>Police safety</b> Mr Runciman ..... 2886 <b>Public service employees</b> Mr Conway ..... 2886 <b>Ontario drug benefit program</b> Mr Stockwell ..... 2886 <b>Gambling</b> Mr Drainville ..... 2887
<b>ORAL QUESTIONS</b> <b>Social contract</b> Mr Conway ..... 2873 Mr Rae ..... 2874 <b>Political staff</b> Mr Elston ..... 2875 Mr Charlton ..... 2875 <b>Investigation into release of documents</b> Mr Runciman ..... 2876 Mr Rae ..... 2876 <b>Gun control</b> Mr Runciman ..... 2877 Mr Christopherson ..... 2877	<b>MOTIONS</b> <b>Consideration of bill</b> Mr Charlton ..... 2883	<b>FIRST READINGS</b> <b>Association of Hearing Instrument Practitioners of Ontario Act, 1993</b> , Bill Pr49 Mr Owens ..... 2887 <b>Victims' Memorial Day Act, 1993</b> , Bill 86 Mr Jackson ..... 2887
	<b>PETITIONS</b> <b>Health care</b> Mr Conway ..... 2884 Mr Murdoch ..... 2884 Mr Offer ..... 2884 Mr O'Neil ..... 2885 Ms Carter ..... 2885 <b>Public services</b> Mr Wood ..... 2884 <b>Automobile insurance</b> Mr Jackson ..... 2884 <b>Casino gambling</b> Mr Drainville ..... 2884 Ms Harrington ..... 2885 Mr Conway ..... 2887 <b>Mental health services</b> Mr Jim Wilson ..... 2885	<b>GOVERNMENT MOTIONS</b> <b>Social contract</b> , government notice of motion number 9 Mr Laughren ..... 2887, 2889 Mr Cousens ..... 2888, 2906 Mr Stockwell ..... 2888, 2897, 2903, 2907 Mr Mills ..... 2889 Mr Daigeler ..... 2889, 2897 Mr Conway ..... 2890, 2898, 2902, 2906 Mr Elston ..... 2896 Mr Mills ..... 2897, 2901 Mr Sterling ..... 2898, 2903 Mrs Haslam ..... 2902, 2906 Mr Perruzza ..... 2902 Mr Mammoliti ..... 2907

## TABLE DES MATIÈRES

Mercredi 28 juillet 1993

<b>PREMIÈRE LECTURE</b> <b>Loi de 1993 sur la Journée à la mémoire des victimes</b> , projet de loi 86 M. Jackson ..... 2887
--

CA2or  
X1  
7-23

Government of Ontario  
Publications

No. 56B



Nº 56B

ISSN 1180-2987

## Legislative Assembly of Ontario

Third Session, 35th Parliament

## Official Report of Debates (Hansard)

Wednesday 28 July 1993

## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

## Journal des débats (Hansard)

Mercredi 28 juillet 1993

Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers



### **Hansard on your computer**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. Sent as part of the television signal on the Ontario parliamentary channel, they are received by a special decoder and converted into data that your PC can store. Using any DOS-based word processing program, you can retrieve the documents and search, print or save them. By using specific fonts and point sizes, you can replicate the formally printed version. For a brochure describing the service, call 416-325-3942.

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

### **Subscriptions**

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Lists of members**

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month. A list arranged by riding and including ministerial responsibilities appears on subsequent Mondays.

### **Le Journal des débats sur votre ordinateur**

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Ces documents, télédiffusés par la Chaîne parlementaire de l'Ontario, sont captés par un décodeur particulier et convertis en données que votre ordinateur pourra stocker. En vous servant de n'importe quel logiciel de traitement de texte basé sur le système d'exploitation à disque (DOS), vous pourrez récupérer les documents et y faire une recherche de mots, les imprimer ou les sauvegarder. L'utilisation de fontes et points de caractères convenables vous permettra reproduire la version imprimée officielle. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

### **Renseignements sur l'Index**

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

### **Abonnements**

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.

### **Listes des député(e)s**

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et dans le numéro du premier lundi de chaque mois. Par contre, une liste des circonscriptions inscrites dans un ordre alphabétique et comprenant les responsabilités ministérielles paraît tous les lundis suivants.

Wednesday 28 July 1993

*Report continued from volume A.*

1723

House in committee of the whole.

RETAIL SALES TAX AMENDMENT ACT, 1993

LOI DE 1993 MODIFIANT LA LOI  
SUR LA TAXE DE VENTE AU DÉTAIL

Consideration of Bill 32, An Act to amend the Retail Sales Tax Act / Loi modifiant la Loi sur la taxe de vente au détail.

**Hon David S. Cooke (Minister of Education and Training):** Mr Chair, could I ask for consent for staff to come on the floor of the House and for the parliamentary assistant to sit in the front row?

**The Chair (Mr Gilles E. Morin):** Agreed.

Are there any questions, comments or amendments, and, if so, to which section of the bill?

**Mr Kimble Sutherland (Oxford):** There is an amendment to section 5, Mr Chair.

**The Chair:** Could you read the sections to which you have amendments.

**Mr Sutherland:** I have three amendments for section 5 and one for section 14.

**The Chair:** Are there any questions or comments on section 1?

**Mr W. Donald Cousens (Markham):** Just in a general context, if I may, dealing with Bill 32. It may not be easy to answer this question, but understanding that first reading of this bill was June 1, 1992—that's some 14 months ago—what I find very difficult is that a government comes along, makes an announcement in the budget that it's going to have a tax change and then doesn't order the business of the House in such a way that that bill is passed during either that session in the spring or in the fall session before Christmas. The House prorogued at Christmas and we came back in April, and here now, in the last minutes of this summer session, the government comes forward dealing with a bill that really has to do with business the government decided to do well over a year ago. That's one part of it: Why would you have such a delay in dealing with it? Maybe you could comment on that, because I have a number of other questions that have to do with the timing of this bill.

Maybe I'll throw the next one in, because we've got enough time in the House that you can go back and forth. The second one is, when did you come up with the amendments? If the amendments were so important to the bill, is that the normal length of time it takes for the government to develop amendments? Again, we're talking some 13 months after the bill was given first

reading, and now we have four amendments to it.

Give me the rationale for the time it takes you to deal with the bill and the time it takes to prepare amendments for the House to consider.

**Mr Sutherland:** If I may, the member for Markham is fully aware of how House business is decided; he knows full well that it's negotiated between different House leaders. If he was so upset by the fact that it hadn't been called, I'm sure he could have encouraged his House leader to a great extent to push to have it called earlier. He also knows that there are only so many days for debate and that not everything gets discussed here.

With respect to the amendments, these amendments we're putting forward today relate to the changes that were announced by the former Minister of Revenue, the Honourable Shelley Wark-Martyn, on December 16, 1992, in response to concerns that I think had been raised by consumers about the administration of the collection of the retail sales tax on used cars, which had been raised by consumers and I think by members of all three parties here in this House.

**Mr Cousens:** It was a flip answer that you gave on the first part. I do know how business has gone in the House. I've been Deputy Speaker and I've been here long enough that I understand that. It has far more to do with what the government decides is going to be done than with what the opposition decides, so don't give me the line that it depends on what the third party is going to do or the opposition party is going to do. It has to do with your government House leader and your government deciding on its priorities.

I'm not going to go on for an undue length of time, which I am entitled to do, on this matter, but I want to just put on the record that it's an offence to the whole system and the approach of parliamentary democracy not to deal with things at the time at which the law is going to come into effect. That is being done this year now with other bills, where the government has made a number of announcements in its budget and even yet we haven't dealt with those changes to the law.

There is nothing fun about our job when we're having to increase taxes, but it is important to deal with it in a current way. That is an issue that I think frustrates many people. They don't know what the law is, so when someone in a law office or someone really wants to know about—why have it proclaimed by the Lieutenant Governor when in fact it is the law by actions now in the province of Ontario? Seriously, it makes a mockery of the process we're going through right now.

I'm not going to give you a hassle on your amendments. You've got the majority to pass them anyway. But it's something for responsible opposition to have at least the opportunity to debate these issues before they're so long in effect that the debate is meaningless. That's what's happened now. To be dealing with this bill some 13 months later is hardly going to make any change to anything that goes on.

**1730**

I just wanted to go on the record. You personally might do it if you're House leader. Maybe what I should do, Kim, is see that you're given the high promotion of being the government House leader, and you might start to order business more efficiently. You've got the enthusiasm and the vigour so that it might happen. Maybe these old sods who have been there for a few months haven't got it.

There is a problem. Take it seriously. It's on the record. Our caucus, in representing the people of Ontario, feels that the government owes it to a good business procedure to deal with items such as this in a more current way and not allow them to be brought up much later. And disabuse yourself of the view that we have anything to do with when things are scheduled in the House: We have no way of influencing your House leader. We're having a few games right now, as we're considering whether or not this House will adjourn tomorrow or recess for a period of time.

But we don't have the power. You, as the government, the NDP, with 38% of the vote back on September 6, 1990, won a majority government. You're the ones who order proceedings; you're the ones who bring out the budget bill; you're the ones who prepare government bills; you're the ones who call it; you're the ones who call it for a vote. You've done it late. You've brought it in 13 months past the time you should have. I just wanted to put that on the record so it wouldn't be forgotten.

**The Chair:** I just want to remind you that we're dealing with Bill 32 and we're dealing with section 1. Are there any amendments or questions on section 1?

**Mr Cousens:** Are there any aspects to the bill as of June 1 that are retroactive prior to June 1, 1992?

**Mr Sutherland:** If the member for Markham looks at section 16 of the bill, he will see that it talks about commencement of different provisions of the bill and when they are deemed to have come into force.

**Mr Cousens:** It's pretty hard to understand section 16. If one were to read it now, I can assure you that there isn't a person who's paying attention to what is happening in this House. "This act, except as provided for in subsections (2), (3), (4) and (5)," and it goes on. What impact does that retroactivity have on the bill with regard to the Retail Sales Tax Act?

**Mr Sutherland:** I guess the member's question is in

terms of collection of taxes. The main provision of the bill, which is the changes to retail sales tax collection regarding used vehicle sales, came into effect on October 1, 1992.

**The Chair:** Does section 1 carry? Carried.

Shall sections 2, 3 and 4 carry? Carried.

I believe you have an amendment to section 5.

**Mr Sutherland:** I move that section 4.2 of the act, as set out in section 5 of the bill, be amended by adding the following subsection:

"Severe damage or excessive use

"(1.1) If both the fair value and the appraised value, as defined by the minister, of a used motor vehicle are, by reason of severe damage or excessive use, less than the average wholesale price of the used motor vehicle as determined in the manner prescribed by the minister, the tax payable in respect of the consumption or use of the used motor vehicle shall be computed at the rate of 8 per cent of an amount equal to the greater of such fair value or appraised value and not as set out in section 2 or in subsection (1)."

Just to explain for folks what the changes are, this is in response to concerns that were raised by some of the people who had bought a car that maybe had a lot of use and the value they bought it for was far less than the Red Book value. What they had to do, though, was submit the sales tax, then go get their car appraised and then ask for a rebate for the sales tax. This changes the process so that they can get it appraised before they pay the sales tax, and if the appraisal is a lesser amount, then they only have to submit the appraisal for the lesser amount.

**Mrs Elinor Caplan (Oriole):** The explanation by the parliamentary assistant to the amendment that has been placed deals with one of the areas of the bill that was a real irritation to a lot of people. When I spoke about this during second reading debate, I pointed out to the government that the legislation created a highly bureaucratic, very cumbersome process for people in that it would be irritating to them. When they attempted to implement those features of it, they got a lot of complaints from people. I know we, as well as the critic responsible for the piece of legislation, had complaints into our office.

I know that the amendment is intended, and has been working now for quite some time, as a new process. I want to tell him that people still resent having to go and get the appraisal and then come back and pay, on the basis of that appraisal, the additional tax that this puts on.

The other thing I'd point out to him is that when I read through the amendment he first read out, it was absolute gobbledegook. It seemed to me that they could have written an amendment that would have clarified, as he did in his explanation. I know legislative language is

such that it often is a little cumbersome, but this amendment was to clarify a process and make it easier for people. Anybody reading this legislation—I myself, when I first read the legislation—you read it and you say, "What is it that you're trying to achieve here and couldn't you say it in simpler English so people could understand?"

While the amendment does clarify from the first piece of legislation, and I think it's a worthwhile amendment, it's unclear. While it eliminates some of the bureaucracy, it is still resented by people. I must tell him that I will not be supporting any of the legislation, but I think this amendment is at least an attempt to make it a little bit easier for people.

I was pleased that he listened to what I had to say during the remarks and that he listened to all of those people who were so angry and frustrated by the process the government had originally put in place.

**The Chair:** Shall the amendment carry? Carried.

I believe you have two other amendments to section 5, Mr Sutherland.

1740

**Mr Sutherland:** Yes. I move that subsection 4.2(4) of the act, as set out in section 5 of the bill, be amended by striking out "or" at the end of clause (b), adding "or" at the end of clause (c) and adding the following clause:

"(d) a used motor vehicle whose average wholesale price as determined in the manner prescribed by the minister is less than \$1,000."

**Mrs Caplan:** This is one amendment that I will be supporting. This exempts all of those people, particularly those who I think are sometimes buying their very first car, the young, sometimes the foolish, certainly the eager, who will buy what might be known as a handyman's special, who've saved. It exempts them from this sales tax, and to me that is right and proper. They'll be paying less than \$1,000 for the car, and if they do that, they're exempt from the tax. I think that's a good feature in the bill. We spoke about that.

Very often these taxes hit exactly the wrong people, and often the clunkers, as we used to call them when I was a teenager, were purchased by people who couldn't afford anything else, who had worked long and hard at second jobs to be able to buy the car and afford the insurance. The exemption for those who have paid under \$1,000 is an important feature of this bill, so I will be supporting that amendment to the legislation.

**Mr Sutherland:** I hope my response doesn't mean that the member for Oriole will withdraw her support for the amendment. I think it's important to clarify for the public that it's not a complete exemption. What it means is they don't have to go and get the appraisal done, which is really where the savings are, because in some cases the amount for appraisal is running anywhere between \$75 and \$80. The amount for the

appraisal would be more than the savings they would get in the sales tax.

**Mrs Caplan:** So you are going to charge sales tax for those people who pay less than \$1,000?

**Mr Sutherland:** Well, they already had to pay sales tax. The legislation is not being changed that way. You already had to pay sales tax on those vehicles. What it means is you don't have to have an appraisal certificate to go with it, and with appraisals sometimes being \$75, \$80, the amount of sales tax you were trying to save would be taken up by getting the appraisal. So that's really what it is, to simplify the process for those folks.

**Mrs Caplan:** In that case the amendment doesn't go far enough. It seems to me that those cars which are valued according to the Red Book at under \$1,000 should not be taxable, and the parliamentary assistant and the minister had the opportunity in the legislation to exempt them entirely. To not do that just places a burden on those who can least afford to pay the tax.

It wasn't just a question of getting the appraisal. The cars that are valued today at under \$1,000, they're not much of a car. The fact that they require a safety certificate and certification is in and of itself the only guarantee that the thing is roadworthy. They usually don't look like much and they're purchased, as I say, either by people who are buying this first car as a handyman's special—it seems to me that you're penalizing the very people you would want to support and encourage, and I will not be supporting the amendment.

**Mr Sutherland:** Again I just want to clarify for the record that we're not adding any extra tax burden that wasn't already there. As the member for Oriole will know, sales tax on used cars, while people may have concerns about that, as far as I know was in place while she was a part of the government. It was also in place during some of the 42-year period the PCs were in government.

**Mrs Caplan:** This legislation changes very substantially what exists and what has existed for some time. I would point out to the parliamentary assistant and to the minister that you've been the government now for two and a half years. During that time we've seen some very significant changes to revenue bills, increases in taxation.

We've seen drivers particularly hard hit in this province. We've not only seen increases to retail sales tax for used cars, we've also seen increases to auto insurance premiums and we've seen a tax on those premiums. We know how important and vital the auto industry is to the economy of Ontario, yet your government over and over again has hit the middle class, the drivers of this province and those people who are both ready to buy a new car and have to or want to sell their old car or trade it in.

I take some offence at the comments of the parlia-

mentary assistant, because this is just part of a package of revenue and taxation policies which has been piling tax upon tax upon those who can least afford it. What I'm pointing out to you is that when you brought this legislation forward, in light of the big picture, of all the taxes that you've been heaping on the middle class and people who either want to sell their car or buy a new car, which would stimulate the economy of Ontario and create jobs, you had the opportunity to make some progressive changes. You failed to do that. You didn't do that. To stand in your place and defend it on the basis of the status quo when everyone knows the world has changed in Ontario, I think is indefensible.

**Mr Cousins:** Sometimes it's fun to sit here in the House and watch what goes on. The member for Oriole, with all due respect, my memory goes back to a few years ago when you were in power with the David Peterson government. There were 33 tax increases.

**Mrs Caplan:** And 22 tax decreases.

**Mr Cousins:** But there were 33 tax increases. When you were in cabinet, you were just pushing them through. You've never seen it worse for the middle-income tax earner you were just defending. So there is some benefit in seeing an honourable member become a member of the opposition, although I know it is not the desire of all people in opposition to stay there too long.

I point out, though, the failure in the honourable member's memory of the 33 tax hikes that took place in the peak years of the Peterson government, and especially after the accord with the NDP, where the two of you were such close bedfellows.

**Mr Robert W. Runciman (Leeds-Grenville):** Bedpersons.

**Mr Cousins:** Bedpersons. I must be careful with that. I want to come back to the \$1,000. How did you choose \$1,000? What was the basis of that decision? Did some lobby group really make the point to you or did you choose \$1,000 rather than \$500? Does your \$1,000 have an indexing available for inflation so that it can change or do we have to come back and look at the bill?

**Mr Sutherland:** I don't think there was any one specific criterion. As I said in response to the member for Oriole, part of the problem with those vehicles below \$1,000 is what many people were charging for appraisals. I certainly know in my community, some of the people who came to talk to me talked about appraisals at \$75 and \$80. When you start talking about appraisals up in that range, you're looking at the fact that by the time you have the appraisal done, you haven't saved yourself any money. Any money that might have been saved has been used up in the appraisal. So I think that was probably the main basis for coming up with \$1,000. No, it's not indexed.

**Mr Cousins:** We're voting against the entire bill, but I make the point—

**Mr George Dadamo (Windsor-Sandwich):** Glad we know.

**Mr Cousins:** And the amendments. You should know where we're coming from.

What comes through in the discussion by the honourable member is all part of too much government. We say it so easily when we're in here: \$78 or \$75 to go through these. These are heavy, heavy costs for people. The fact that there has been some recognition of that at this \$1,000 level is good.

But understand that the cost of doing business in Ontario is now just so prohibitive and that we're discouraging people from wanting to do business here, from wanting to stay here. You see that with the number of people who would like to move elsewhere.

As you are in a position of great responsibility, as the parliamentary assistant to the Minister of Finance, as you go through the next stage, whatever it is, of involvement within that ministry, the more you can work to remove regulations, to streamline things and to make it easier for people to do business and to do transactions with the government, the better. That should be one of those things you really should start looking at. This is a very small move. I realize it shows some goodwill, but you've got to go an awful lot further than what you're going.

#### 1750

**The Chair:** Shall the amendment carry? Carried.

**Mr Sutherland:** I move that subsection 4.2(8) of the act, as set out in section 5 of the bill, be struck out and the following substituted:

"(8) If a purchaser of a used motor vehicle pays tax under subsection (1) but could have paid tax under subsection (1.1) by providing an appraisal of the used motor vehicle at the time the tax was paid, the minister may refund to the purchaser an amount equal to the difference between the tax paid and the tax payable upon such terms and conditions as the minister may prescribe."

**The Chair:** Shall the amendment carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Shall section 5, as amended, carry? Carried.

Shall sections 6 to 13 carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

I declare the motion carried.

**Mr Sutherland:** I move that section 14 of the bill be amended by adding the following subsection:

"(0.1) Clause 48(3)(g) of the act is amended by inserting after 'section 2' in the second line 'or 4.2.'"

**The Chair:** Shall the amendment carry? Carried.

Shall section 14, as amended, carry? Carried.

Shall sections 15 to 17 carry? Carried.

Shall the title carry? Carried.

Shall I report the bill, as amended, to the House? Agreed.

VEHICLE TRANSFER PACKAGE  
STATUTE LAW AMENDMENT ACT, 1993

LOI DE 1993 MODIFIANT DES LOIS  
EN CE QUI CONCERNE  
LES DOSSIERS DE TRANSFERT DE VÉHICULES

Consideration of Bill 34, An Act to amend the Highway Traffic Act and the Personal Property Security Act in respect of Vehicle Transfer Packages / Loi modifiant le Code de la route et la Loi sur les sûretés mobilières à l'égard des dossiers de transfert de véhicules.

**Hon Fred Wilson (Minister without Portfolio):** May I make a request for staff to enter the House, please?

**The Chair (Mr Gilles E. Morin):** Is there unanimous consent? Agreed.

We're now dealing with Bill 34. Are there any amendments?

**Mr George Dadamo (Windsor-Sandwich):** I intend to move five amendments to the bill at the appropriate time during the clause-by-clause consideration of the bill, these being the long title of the bill; section 1 of the bill, proposed section 11.1 of the Highway Traffic Act; section 1 of the bill, proposed clause 11.1(4)(d) of the Highway Traffic Act; section 2 of the bill, proposed section 43.1 of the Personal Property Security Act; and section 4 of the bill.

**The Chair:** Are there any questions, comments or amendments to section 1?

**Mr W. Donald Cousens (Markham):** If I may, I have a few questions I would like to ask on the bill which haven't been fully addressed in the earlier section. I could easily have given them to the parliamentary assistant before we got started, but I'm sure with the resources that are there now—the first one has to do with the bill as a whole. Inasmuch as this bill has to do with the registration of vehicles that are being transferred from one owner to another, what legal value is there to this whole transaction, if any?

**Mr Dadamo:** Would you mind repeating that, please?

**Mr Cousens:** I want to know what the legal value of this whole thing is. I see it as an information package, and I worry about it having no real legal power to it. What is the legal power that is implicit to Bill 34? Explain what that is.

**Mr Steven W. Mahoney (Mississauga West):** Fight fair.

**Mrs Elinor Caplan (Oriole):** Don't ask hard questions. It's almost 6 o'clock.

**Mr Cousens:** We're here till 8:30.

**Mr Dadamo:** If I may respond briefly, it actually deals with liens and the history of the vehicle; we can actually go into it and find out where it's been etc.

**Mr Cousens:** As you're dealing with a lien that deals with a vehicle from Ontario, what happens if there is a vehicle from Quebec? How does one deal with that? Sometimes the person who gets the information package, as you're going to call it, will have that in their hands, they'll fill it through and they'll see it all. But what happens with those vehicles that come in from another jurisdiction and have been stolen, and the person who bought the vehicle really hasn't had protection to his investment? The real question is, how does your bill deal with so many of the transactions that are really extraprovincial?

**Mr Dadamo:** As far as I can tell, there isn't a deal set up with the province of Quebec on that particular issue. We need to inquire on laws with Quebec, and I would imagine that certain meetings must take place to solidify that at a later date.

**Mr Cousens:** I was aware of that. What I really am trying to present to you is that we've really got to move towards more integration of these kinds of bills so that what goes on in one province, where you think you're in Canada and you're protected—you really aren't, because the province hasn't come together with other jurisdictions to try to work those things out. I can see there being more of a problem if you're dealing with south of the border, but I would like to encourage you and the ministry to try to develop a more comprehensive approach to these services than what is seen here now. Maybe you have some more comments on this point.

1800

**Mr Dadamo:** We are trying at this point to become a role model; also, other jurisdictions have shown they're very supportive of what we are doing and what we are addressing, and that at some point we can sit down with them and be constructive and finalize.

**Mr Cousens:** The bottom line is that a person who buys a car and it comes from another province, it doesn't really give them any legal power because of this information package you're bringing out, and they're still going to be short the money. That's really what I'm leading to.

I want to ask you further about the information in the package. My understanding is that the information in the package has the name of the previous registrants, with the town or city, but it doesn't give the actual addresses, it doesn't give the serial number or descrip-

tion of the car or any outstanding liens, if any. Why does this information package not give greater detail such as I've just described, such as the actual addresses of the previous owner, the serial number, the description of the car, in case it's changed, and any outstanding liens? Why is that not included in your information package?

**Mr Dadamo:** I'm not sure I have the complete answer for you at this time, but we'd be happy to get the information out to you.

**Mr Cousens:** I'd appreciate that; if you would, I'd be grateful. To me, it shows an inadequacy of the process that we're now going to pass in the House; not to know why they aren't there is a concern.

I'd like to know what your definition is of the legal owner. As that's such a key part of what this bill is all about, could you define what the legal owner is?

**Mr Dadamo:** I would imagine, to put it in the simplest form, it's the person owning the car at the moment, and registered in your name; that would be the legal owner.

**Mr Cousens:** It could be registered in any number of ways: by a company, by a company that's gone bankrupt; it could be registered under a leasing business; it could be registered by an owner who has multiple vehicles; it could be registered with a scrap dealer; it could be registered with various other things. I don't mind leaving that with you as well, to come back and give a more clear definition through the legal resources that are available within the ministry to define what legal ownership is all about.

I want to go one more point on the information package. There is nothing in the package, to my knowledge, that tells you what the vehicle was used for. What the government's doing is saying, "Here is an information package to help people be protected when they buy." That makes sense, if you say you're going to have something like that. Then why doesn't it tell us that the vehicle was used for a taxi or for a police car, an airline limo, a pizza delivery van or whatever? If I were to buy a used vehicle and it was used for any of those purposes, it would have less value by virtue of the stop-start and the multiple drivers and what the thing was used for. Why doesn't your information package define in greater detail what the vehicle was used for?

**Mr Dadamo:** As far as I can give you, the definitive on that is that there is nothing written into the legislation, there is no law stating that you must be told where that particular vehicle has come from. If it was a pizza vehicle, there's no law stating that we have to tell you that.

**Mr Cousens:** Why is the mileage not recorded in the information sheet? I know we've got pretty strong rules now to prohibit you from turning back the clock on the car. Why is that not on your information package?

**Mr Dadamo:** As before to the member, it still is not written into the legislation that this has to be recorded and has to be told to you at the time of sale.

**Mr Cousens:** I've put these on record. I wanted to get comment back from the parliamentary assistant. What we're dealing with is a very flawed piece of legislation. If you look at this—

**Mr Anthony Perruzza (Downsview):** You say every piece of legislation ever brought into this place has always been flawed.

**Mr Cousens:** The honourable member is saying everything's flawed. This bill has been in the House since June 1, 1992: 13 months.

**Mr Perruzza:** I have yet to hear you say any piece of legislation is not flawed.

**The Chair:** Order.

**Mr Cousens:** If you want to be part of the debate, this debate can go for quite a while.

**The Chair:** The member for Markham, please.

**Mr Cousens:** I'm saying the bill has been on the order paper for 13 months, and it is still flawed. We're still talking about the anomalies of dealing with cars that are brought in from other jurisdictions. We're dealing with the situation where cars may have been a wreck and have been fixed up, and the person has no way of knowing that within the legislation. You're talking about an information package that's going to help people who are buying a vehicle to know what it was used for. There is nothing there that tells you what it was used for, how many miles or kilometres are on it. There is no security at all to the person who is buying it.

I want to just put on the record that what we're dealing with here is a very flawed piece of legislation which I'm not going to support. You can put forward your amendments now, and I just wanted to make sure that some of those thoughts were expressed.

**The Chair:** I believe you have an amendment to section 1. Would you please read your amendment.

**Mr Dadamo:** I move that section 11.1 of the Highway Traffic Act, as set out in section 1 of the bill, be amended by striking out "vehicle transfer package" and "vehicle transfer packages" wherever they occur and substituting "used vehicle information package" or "used vehicle information packages" as required.

**The Chair:** Shall the amendment carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

I declare the motion carried.

**Mr Dadamo:** I move that clause 11.1(4)(d) of the Highway Traffic Act, as set out in section 1 of the bill, be struck out and the following substituted:

"(d) exempting any class of sellers or transferors from the application of subsection (1) or any class of purchasers or transferees from the application of subsection (3)."

**The Chair:** Shall the motion carry? Carried.

Shall section 1, as amended, carry? Carried.

**Mr Dadamo:** I move that section 43.1 of the Personal Property Security Act, as set out in section 2 of the bill, be amended by striking out "vehicle transfer package" wherever it occurs and substituting "used vehicle information package."

1810

**The Chair:** Shall the amendment carry? Carried.

Shall section 2, as amended, carry? Carried.

Shall section 3 carry? Carried.

**Mr Dadamo:** I move that section 4 of the bill be amended by striking out "Vehicle Transfer Package" in the first and second lines and substituting "Used Vehicle Information Package."

**Mr Cousens:** The only concern that I have is, why has the government not come in with a true title system for vehicles that really has some kind of legal hold to it rather than an information package? Can you deal with that question?

I mean, other jurisdictions are beginning to have some way in which a vehicle is registered and the information on that vehicle is clearly defined. What we're dealing with is a very weak type of document that just sort of helps a little bit, but it does not really have the binding authority that a title would have over a vehicle.

That will be my last question on your series. Why is it you haven't moved further on this whole thing to allow pure title to be registered and to be guaranteed in the whole transaction?

**Mr Dadamo:** Can I just say to the member that's a section that I'm really not that versed on. Am I permitted to get the answer to you at a later date? Fair?

**The Chair:** Shall the amendment to section 4 carry? Carried.

Shall section 4, as amended, carry? Carried.

I believe you have an amendment on the title.

**Mr Dadamo:** I move that the long title of the bill be amended by striking out "Vehicle Transfer Packages" and substituting "Used Vehicle Information Packages."

**The Chair:** Shall the amendment carry? Carried.

Shall Bill 34, as amended, carry? Carried.

Shall I report the bill to the House? Agreed.

**Hon Mr Wilson:** Mr Chairman, I move that the committee rise and report.

**The Chair:** Shall the motion carry? Carried.

**The Deputy Speaker (Mr Gilles E. Morin):** The committee of the whole House begs to report two bills

with certain amendments and asks for leave to sit again.

Shall the report be received and adopted? Agreed.

**Hon Mr Wilson:** I request unanimous consent for third reading of Bill 32.

**The Deputy Speaker:** Is there unanimous consent? Agreed.

#### RETAIL SALES TAX AMENDMENT ACT, 1993

#### LOI DE 1993 MODIFIANT LA LOI SUR LA TAXE DE VENTE AU DÉTAIL

Mr Sutherland moved third reading of Bill 32, An Act to amend the Retail Sales Tax Act / Loi modifiant la Loi sur la taxe de vente au détail.

**Mr Kimble Sutherland (Oxford):** I believe we had a very extensive debate during second reading. We've had committee of the whole. Because I'm sure the opposition members, or some of them, are going to get up and again say that there are tax increases, I want to state for the record one more time that people have had to pay sales tax on used vehicle sales. They've had to do that for many years.

This mechanism is allowing us to ensure that everyone is paying the appropriate amount of tax, because clearly if people are to have faith in the tax system, then those hardworking people who pay the appropriate amount of sales tax need to be assured that everyone else is paying the appropriate amount of sales tax. I believe the measures in Bill 32 allow us to do that more effectively.

**Mrs Elinor Caplan (Oriole):** I'm going to keep my third reading debate very, very short. This bill was tabled for the first time in June 1992. It followed what we're now referring to as that ill-fated budget of spring of 1992. The government has not brought it forward until this summer of 1993 for third reading. It's a bad piece of legislation. It's not fair. It hits the middle class and motorists in this province in a way which is regressive. It raises taxes at a time when every objective, thoughtful observer is saying to the government, "This is not the time to raise taxes."

I think there should be a rule that says that if the government hasn't got all of its tax bills in place before the next budget, they should automatically fall from the order paper, because it adds tremendously to the confusion and to the cynicism of the public. The government has been collecting this tax since June 1992. I think it is regrettable that we stand here July 28, 1993, debating a budget bill from the 1992 spring budget of the NDP government. It's just another example of NDP mismanagement and it's another example of misguided fiscal and taxation policy. We will not be supporting it.

**Mr Sutherland:** I don't want to drag this debate out in third reading. I know we're in third reading but, once again, the member for Oriole and members of her caucus have got up and it seems to be a common habit that on any type of move the government makes,

whether it's a specific tax measure for enforcement purposes to ensure everybody is being treated fairly or whether it's revenue increases for licences, they want to say everything is a tax increase, everything is a case of mismanagement.

That is just simply not the case in this. As I've said many times, people have for a long time had to pay sales tax on used car sales. Not everybody has been paying the appropriate amount of tax on used car sales. This bill is designed to ensure that there is greater enforcement. You know as well as I do that while people are concerned about paying taxes and don't want to pay more taxes, they get even more concerned when they think their neighbour or someone else they know is getting away without paying the taxes they have to pay. That really irritates people. This is an enforcement measure to ensure that we can collect tax that people are already supposed to be paying.

**Mr W. Donald Cousens (Markham):** I wouldn't be serving the tax fighter well if I didn't say just a word about the strong position that our leader, Mike Harris, has taken ever since he took over the leadership of our party three years ago. The fact is that the Liberals before you and now you are in the tradition of taxing the province just to the point where people have reached the wall. It's the tax wall.

**Mr Anthony Perruzza (Downsview):** Tax fighter? He sent out a mailing of the Toronto Star—

**Mr Cousens:** Mr Speaker, if I'm going to be interrupted by—

**The Deputy Speaker (Mr Gilles E. Morin):** The member for Downsview, you don't have the floor.

**Mr Cousens:** —hungry people who need to have a banana, then let them go and do it. I mean, there are ways for them to participate in the debate.

**Mr Perruzza:** He's a tax fighter. He photocopied a copy of the Toronto Star and sent it to every councillor.

**The Deputy Speaker:** The member for Downsview, I ask you to come to order.

**Mr Cousens:** Actually, they just don't know how to take it. There is a way in which you as an honourable member in the House can be honourable, and that is that when you have a chance to speak, stand up and speak. You don't have to keep interrupting other members when they're speaking. That's really what it's all about.

**Mr Perruzza:** You photocopied the Toronto Star and you sent that to everybody.

**Mr Cousens:** My rights as an opposition member are such that I should have the right—

**The Deputy Speaker:** Order. The member for Downsview, we have procedures that we follow. I ask you to remain quiet. The member for Markham.

1820

**Mr Cousens:** Thank you, Mr Speaker. I didn't mean

to wake him up. It would be better if he'd just stayed asleep, the way he's been for the last two years since he's been in the House.

The point I want to make is that it's another tax. The government can't stop taxing the people of Ontario, and all we really need to do is if you ran the government more efficiently and if you began to remove—

**Mr Perruzza:** You photocopied the Toronto Star and you sent it around, a 43-cent stamp.

**The Deputy Speaker:** The member for Downsview, I don't have too many alternatives to ask you to keep quiet. The member for Markham.

**Mr Cousens:** Thank you, Mr Speaker. It's difficult to make a point with the kind of interruptions that are coming so rudely and so fast and so loud from the honourable member for Downsview.

**The Deputy Speaker:** I'm sorry, but your time has expired. The member for Oriole, you have two minutes to reply.

**Mrs Caplan:** Just to conclude the debate, we will not be supporting this bill. I believe it's bad public policy. It certainly isn't in the interests of the public at this time to see any additional revenues taken out of the economy. We've heard from the parliamentary assistant that they seem to be quite sensitive about whether or not this bill technically raises taxes or not. In fact, the results of this legislation will be to remove additional dollars from the economy. We know that economists tell us that for every \$40,000 you take out, you kill a job. This legislation will kill more jobs. This is not the time to see any additional revenues taken from the economy, and for that reason we will not be supporting this legislation.

**Mr Cousens:** I have a chance to speak now without the limits of time. I think I've made the point, and for once I agree with the member for Oriole, that I'm not going to support the bill. It's an additional burden to the people of Ontario. The government has to reach the point where you run things more efficiently rather than go back into the pockets of the people of Ontario.

We really have to find ways of getting together on this. The system isn't working. People are being discouraged totally from wanting to live and work in the province of Ontario, and one of the reasons that's happening is because of the very heavy tax load. If we could find efficiencies in government, if we could eliminate the fraud in the social assistance, improve the health card, find ways of doing things better, then we wouldn't need to continue the heavy taxing that's going on within our province.

This bill will pass. The government's been extremely late in dealing with it, but now it's about to be over. Let's just say goodbye to Bill 32 and the people can end up paying for it the way they will anyway.

**The Deputy Speaker:** Mr Sutherland has moved

third reading of Bill 32, An Act to amend the Retail Sales Tax Act.

Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

I declare the motion carried.

Resolved that the bill do now pass and be entitled as in the motion.

**Hon Fred Wilson (Minister without Portfolio and Chief Government Whip):** I respectfully request unanimous consent for third reading of Bill 34.

**The Deputy Speaker:** Do we have unanimous consent? Agreed.

VEHICLE TRANSFER PACKAGE  
STATUTE LAW AMENDMENT ACT, 1993

LOI DE 1993 MODIFIANT DES LOIS  
EN CE QUI CONCERNE

LES DOSSIERS DE TRANSFERT DE VÉHICULES

Mr Dadamo, on behalf of Mr Pouliot, moved third reading of Bill 34, An Act to amend the Highway Traffic Act and the Personal Property Security Act in respect of Vehicle Transfer Packages / Loi modifiant le Code de la route et la Loi sur les sûretés mobilières à l'égard des dossiers de transfert de véhicules.

**Mr George Dadamo (Windsor-Sandwich):** I'd like to give brief comments. Passage of this bill will require people selling used vehicles privately to purchase the package, make it available to prospective buyers and deliver it to the buyer at the time of sale. Buyers will then be required to present the package in order to transfer the vehicle registration to their name.

Mandatory use of the package should help to reduce problems in the marketplace, including unscrupulous vendors who misrepresent the previous use of vehicles or who fail to provide accurate information on the existence of any liens.

Only private sales of cars, light trucks, vans, motorcycles and motor homes will be affected by this bill. We will recognize exemptions for such transactions as gifts between certain family members and sales by licensed dealers who must satisfy the separate requirements under the Motor Vehicle Dealers Act.

Since February 1993, the information package has been available, and we have encouraged voluntary use of the package for private sale of any vehicles in the province of Ontario.

**Mrs Elinor Caplan (Oriole):** As Revenue critic, it's my responsibility to carry Bill 34 for the official opposition. I spoke at length during second reading and now, during third reading debate, I'm just going to make a couple of points.

This legislation was first tabled in June 1992 as a result of the budget of 1992. It's now over a year; we're

in the summer of 1993. This has been in place, and people have been confounded and confused. I think what they have realized is that Bill 34 has complicated essentially a private transaction.

This government has given new meaning to the old phrase, "If it moves, tax it." It's my view that Bill 34, which requires people to purchase a vehicle information package—it used to be called a vehicle transfer package—is really just a tax grab. Charging people for something they don't want is just another way for the Treasurer to take more money out of the economy.

I think the new system that is proposed in Bill 34 is unfair to both used car buyers as well as sellers. It creates additional red tape for people who simply want to sell their car or people who want to buy a used car. In essence, this is yet another way for the Treasurer to enhance the treasury at the expense of motorists in Ontario, who have been very hard hit by the policies of the NDP government.

We know that motorists have faced increases in their insurance premiums as a result of the government's auto insurance legislation. They've had increases in the costs of premiums because of the retail sales tax being imposed, 5% on top of the increase in premiums. We know that the curbsider legislation, Bill 32, ensured that taxes were collected where, previous to that, people were not paying them on insurance. Now we have Bill 34, which imposes yet another irritation and aggravation and takes additional money out of the economy at a time when we should not be seeing additional resources being taken out of the economy.

We will not be supporting Bill 34. It is a piece of legislation that is not deserving of support.

**Mr W. Donald Cousens (Markham):** The bill is flawed. When we were reviewing it through second reading and committee of the whole, it became increasingly obvious that the government has not moved to the extent that it could and should to protect people who are going to be buying a vehicle.

You can buy a car, and if the car is one that's been fixed up after an accident—it might be imported into Canada from the United States—it should have on it in some way something that says it's salvaged, that it was a wreck. That is not there. What we're really inviting into Ontario are the wrecks from other jurisdictions. There is no control here. There's no legal value. When you say you have an information package and you fill it out, it still does not protect the buyer.

A government that's in a position to protect people has a chance to do something by establishing title on the vehicle so that those who are making the investment in a vehicle—it's one of the biggest investments that many of us ever have to make. Let's have some way of protecting that investment. As it stands now, where we're dealing with a bill that has caused a considerable

amount of confusion. We started out when it was called a vehicle transfer package, and now it's called a vehicle information package; extremely misleading to the public. They feel they're going to be protected with this information when in fact they're not. This information we're trying to get in this package is available anyway, anywhere right now.

**1830**

One of the positive things you could have done is that you could have taken advantage of all the linkage of information that exists among the ministries of the government and then do something with it, but not so. I've tried to point out through some questions to the parliamentary assistant this evening, when we were talking about the flaws in the package, that there is no legal proof, no legal entity to it.

The package itself does not have an expiry date. A lien may be registered against a vehicle while someone is in possession of the package: You go and pick up the package from the Ministry of Transportation and while you're dealing with it, someone could register a lien on it. There really isn't any way you can control that.

You're not dealing with vehicles from other jurisdictions, so a vehicle stolen from Quebec or another province or the States will really cause nothing but trouble for the buyer.

I've tried to point out how incomplete the information in the package is. It doesn't give the actual addresses of the people; it doesn't give the serial numbers; it doesn't give a description of the car; it doesn't describe any outstanding liens; it does not define who the legal owner is, and I think that's something that should be within the information package. That may be something the parliamentary assistant can take back to the ministry to look at that. There's nothing that shows on the information package whether that vehicle was used for a police car or an airline limo, pizza delivery or whatever; mileage is not recorded; there's nothing showing whether the vehicle—I mentioned this earlier—is a salvaged wreck.

A gentleman in my riding, Mr Keith Chandler, who's president of Canadian Title Systems, has brought forward a number of proposals that the government has had an opportunity to listen to. I hope the government will still have an open mind to try to find ways to protect the consumer. The consumer who buys a car really needs to have that protection, and there are ways of doing it. British Columbia is looking at it. In the United States, there is a whole new process that's being reviewed by the US government that will protect purchasers of vehicles.

All I'm asking is that the government have a review of that. The legislation coming in now is flawed, but there is time in the future to do something about it. Hopefully, the government will take the comments I've made in the spirit in which I've tried to give them and

find a positive way of dealing with what is a very, very real problem. I have never had the problem of buying a lemon or a car which I didn't know where it came from, but I know that it happens more frequently than we need. We've got to protect people, and if there's anything we can do to protect the public, that's something we as legislators should do.

I'm going to vote against the bill. As it stands now, it is incomplete, it's flawed. The fact that it's taken you 13 months to bring it forward for final reading is really a disgrace. So much of what's going on within this House really has that kind of time lag to it. No wonder people get frustrated with government if you can't order the business of the House more efficiently than that.

**The Deputy Speaker (Mr Gilles E. Morin):** If not, Mr Dadamo, you have the last word.

**Mr Dadamo:** I would like to be brief as well on this one. Let me just say that this new section, which is 11.1 of the Highway Traffic Act, will require a person who sells or transfers a used motor vehicle to deliver to the buyer or transferee a vehicle transfer package. The vehicle transfer package of course will be made available from the Ministry of Transportation and as well from the registrar of personal property security.

A purchaser or transferee of a used motor vehicle will be required to produce the vehicle transfer package for the vehicle before obtaining a permit for the vehicle under the Highway Traffic Act. The contents of the vehicle transfer package will be defined by regulation. Fees for the package will be prescribed by regulation; and provision is also made for regulations, exemptions from the requirements related to the vehicle transfer packages.

**The Deputy Speaker:** Mr Dadamo moves third reading of Bill 34. Is it the pleasure of the House that the motion carry? Carried.

I resolve that the bill do now pass and be entitled as in the motion.

**Hon Fred Wilson (Minister without Portfolio and Chief Government Whip):** I ask for unanimous consent to do the 31st order, sir.

**The Deputy Speaker:** Is there unanimous consent? Agreed.

BUDGET STATUTE LAW AMENDMENT ACT, 1993

LOI DE 1993 MODIFIANT DES LOIS  
EN FONCTION DU BUDGET

Mr Sutherland moved second reading of the following bill:

Bill 84, An Act to amend certain Acts to eliminate the Commercial Concentration Tax and reduce certain expenditures as referred to in the 1993 Budget / Loi modifiant certaines lois afin d'éliminer l'impôt sur les concentrations commerciales et de réduire certaines dépenses comme le prévoit le budget de 1993.

**Mr Kimble Sutherland (Oxford):** I don't have

extensive comments to make at the beginning of second reading. The only thing I can say is that I'm quite positive the opposition is going to support this, particularly the member for Mississauga West, because I distinctly remember, on the day the budget was brought down, the distinguished mayor of Mississauga going up to the Finance minister, the Honourable Floyd Laughren, and extending sincere congratulations and appreciation for Mr Laughren taking away the commercial concentration tax.

There may have been some merit to having a concentration tax in 1989 when the economy was still very growing and the Metro area was really developing, but it's quite clear in this economy, with so much surplus space out there, office space etc, that the concentration tax is not appropriate in 1993, and therefore the government has withdrawn it.

**Mr Steven W. Mahoney (Mississauga West):** It's interesting that the parliamentary assistant, Mr Sutherland, would use the example of Mayor McCallion congratulating the Minister of Finance for eliminating the commercial concentration tax. That was the day of the budget. I remember it well, because she was sitting in my office, watching everything that was going on.

As you can appreciate, when legislation comes down like that, one simply takes the title at face value. The title of the bill says "to eliminate the commercial concentration tax and reduce certain expenditures" and provide for increase of certain revenues. It doesn't tell you what's in the bill.

I would have liked to be a fly on the wall when Mayor McCallion discovered what was in the bill and have seen her then talk to the Minister of Finance. Something tells me there might have been a different message coming out of Mayor Hazel when she realized that the original legislation, not Bill 84 that we're dealing with but Bill 29, amended some 14 acts.

**1840**

It was, in my short six years in this place and in the previous nine or so in municipal government, the first time I had seen such an omnibus bill. I don't even know if you could describe it as omnibus because—just take a look—it dealt with absolutely the elimination of the commercial concentration tax. Then it went on to amend the Legal Aid Act, then to amend the Corporations Information Act, to expand the power of the Ontario Science Centre, then to expand the power of the St Lawrence Parks Commission, then to end the Employee Share Ownership Plan Act, then to end the Small Business Development Corporations Act, then to amend the Health Insurance Act—I'm still on the same bill—then to amend the Ontario Drug Benefit Act, then—here's one that really relates to the commercial concentration tax—to amend the Game and Fish Act. Right in there, there's a lot of hunting and fishing that goes on in the GTA.

**Mr Chris Stockwell (Etobicoke West):** Well, certain parts.

**Mr Mahoney:** Well, no, it belongs in that, a certain amount, but I'm talking about the Game and Fish Act. You behave.

Then to amend the Public Lands Act, North Pickering. Is that where the dump is? I'm trying to get my bearings here. The one that you want, to amend the Public Lands Act. There were 14 pieces of legislation. How this parliamentary assistant, with due respect, could wind up being the one carrying this legislation is really quite strange.

What happened? Let's just talk about the history a little bit. The government House leader and my House leader, the member for Bruce, and the Tory House leader, the member for Parry Sound, meet, along with the three party whips, once a week and we discuss business of the day, the week, the month, the Legislature.

There were some 26 pieces of legislation that were brought on the table to go through in a very short period of time in this place, because this government, if you go right back, failed to recall the Legislature in a timely fashion. Now we're sitting here on July 28, looking like we're extending into August, and that's fine, to deal with government bills and pieces of legislation that this government has not been competent enough to bring to the floor of this Legislature.

This was the one that they decided they could just sneak through. They could get people like Mayor McCallion to congratulate the Finance minister because she thought it truly was—

**Mr Sutherland:** She did it on her own.

**Mr Mahoney:** Just a minute. You have to admit she had not read the bill, she did not know there were 14 amendments to the bill. It was totally misrepresented.

If you want to tell somebody that all you're doing is eliminating what many have referred to as the "hated commercial concentration tax," well, of course, a mayor of a municipality like Mississauga or Scarborough or North York or other parts of the GTA is going to say: "Good move. Good move for business."

Let me tell you, the member for Oriole introduced her own bill, also numbered 29, on July 7. It was a private member's bill and it solely dealt with the elimination of the commercial concentration tax. She didn't try to do some magic by weaving in game and fish acts and the Ontario Science Centre and all of these things. She didn't try to trick anybody.

The member for Oriole stood up in this place and said: "When I tabled the bill I noted the surprise on the Finance minister's face, and in fact he should be surprised. It is quite unusual for an opposition member to table government legislation, and that is what my bill is today." It is exactly the same number as the first

sections of Bill 29 that deal with the commercial concentration tax repeal. There was no trickery, and that is exactly what you attempted to do.

Of course, the other thing is if you could then force members of the opposition to vote against the bill because of all the damaging amendments that were in here, then you could go around in the intersession and tell anyone who wanted to listen that opposition members in both opposition parties were opposed to repealing the commercial concentration tax. Tell me that was not the method you were attempting to put forward.

How could we simply vote for a bill that totally ignored the entire pharmacists' community in the province of Ontario, that unilaterally by this government, without any discussion, without any debate, without any input by the pharmacists—

**Mr W. Donald Cousens (Markham):** On a point of order, Mr Speaker: I don't think there's a quorum here for this presentation.

**The Deputy Speaker (Mr Gilles E. Morin):** Would you please check if there is quorum.

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Deputy Speaker ordered the bells rung.*

**The Deputy Speaker:** A quorum is now present. The member for Mississauga West.

**Mr Mahoney:** Mr Speaker, thank you. Interruptions like that almost require you to start over, but I'll try to pick up from where I was, if I can.

The problem, as I was enunciating—

**Mr Jim Wiseman (Durham West):** No short-term memory.

**Mr Mahoney:** No, I'll never forget what's-his-name. I don't have a problem with memory.

As I said, the government was clearly attempting to back the opposition parties into a corner of voting against the elimination of a tax. Let me congratulate members of the pharmaceutical industry out there in Ontario, because we saw very, very quickly mobilized a protest and a telephone and a fax campaign to get the message through, certainly to the opposition parties, but also, I'm sure, to all of the backbench government members over there. All the druggists, the pharmacists in your ridings, I'm sure, were calling you, saying, "What are you trying to do here?" Clearly, they were attempting to set pharmaceutical dispensing fees by fiat, rather than by negotiation, with a very heavy-handed approach.

But more importantly, if that alone had come in as an amendment, as a separate bill, then you could say: "Maybe we don't agree with that and there should be consultation, there should be some committee process, there should be an opportunity for input from the pharmacists. There should be an opportunity to hear

from seniors, who are clearly affected by drug prices and dispensing fees. There should be all of that opportunity." If it was a separate bill, then you could say, "We don't agree with this government once again, but we do at least recognize that they are the government for the time being and they have a right to introduce a piece of legislation to make changes."

But when they attempt to bring it in by hiding it on the back of Bill 29 and by not telling people what's in there and wrapping it up in a bow as if it's the elimination of a tax, Kimble, that wasn't your idea. I know you're a more honest parliamentarian than that and that clearly you would have put the message out right on the front burner to say this is what you wanted to do.

So what happened? The reason I tell you about all of these hidden changes that were buried in the original bill that has led us to Bill 84 was, frankly, through the negotiations by my House leader and the House leader for the third party, who simply said: "We're not going to put up with this. Now either you amend this Bill 29, withdraw it or bring in sections of the bill that we might be prepared to allow to go through. Even though we might not like them, we might be prepared to give in to some, if you eliminate the ones that we're just not prepared"—otherwise, I tell you, we'd be here right straight through to December 25 debating this bill alone because of the heavy-handed, draconian way in which this government introduced the original bill.

Let me talk about the commercial concentration tax.

1850

**Mr Cousens:** You brought it in.

**Mr Mahoney:** We brought it in, and it was a tax that took a lot of heat, I say to the member for Markham. But interestingly enough, at least there was a direction there. While it was difficult to explain to the communities and to the private sector that was impacted by it, you could say to them: "Look, we're going to give you more GO trains. We're going to improve"—in the case of my own riding—"the GO train service for Erindale, through to Streetsville and on into Milton. We're going to increase the frequency of that particular line. We are putting a tax on."

At the time, we said, "The commercial concentration tax will go towards the program known as Let's Move," a program, by the way, that I congratulate. One of the members opposite said that we never say anything good over here. Generally, that's true, because there are not a lot of good things to say about what's going on, but I think for the most part you have tried to carry on the beginnings of the Let's Move transportation program. Minister Pouliot has worked reasonably hard at attempting to carry on that fine Liberal program that was introduced, but you have to pay for these things.

**Mr Sutherland:** No.

**Mr Mahoney:** Yes. You have to pay for them. So it

was our government's suggestion that we put in place a commercial concentration tax and that the money generated go directly towards improving transportation services in the GTA. That's called user fees. It was at one time a position that the Tory party used to support, that the people who get the benefit are the people who should pay. Why should someone from Parry Sound be funding improvements to the Gardiner Expressway?

**Ms Christel Haeck (St Catharines-Brock):** They've been doing it for years.

**Mr Mahoney:** They have been doing it for years, and that's my point. My point is that this was seen as a tax that would be specific to a community that would reap the benefit of it. For too long, we've been thought of in eastern Ontario and northern Ontario and southwestern Ontario as the province of Toronto. Clearly, we're not the province of Toronto and we're not the province of greater Toronto.

**Mr Randy R. Hope (Chatham-Kent):** Mississauga.

**Mrs Karen Haslam (Perth):** The province of Mississauga.

**Mr Mahoney:** No, that includes Mississauga, Toronto, Mississauga, North York, Etobicoke, Scarborough, Markham, all vitally important parts of the economic engine that drives the greater part of this great province of Ontario. But there is some rationale that says if you're going to spend money in a particular area, maybe you should try to raise the revenue from those citizens who will benefit from that. Frankly, that's what the commercial concentration tax was all about.

We realize that this economy and particularly the recession that started in some earnest about three years ago has been exacerbated by much of the legislation and many of the policies this government has put in place. If you ask a citizen out there what's the one thing that could happen in this province that would give a boost to the economy, that would give a sense of confidence to the business community, they would not say, "Get rid of free trade," they would say, "Get rid of Bob Rae." That's what they would say, my friend. That is the one thing that would boost the confidence of everybody in the province of Ontario. So we're getting rid of something. We're taking away a tax.

What was really interesting is that members will recall on budget day how all the seals were there and everything was lined up and, boy, Floyd read out how we're going to eliminate—remember the two taxes? "We're going to eliminate the tire tax." Great applause. "We're going to eliminate the commercial concentration tax." Great applause. "We're going to impose an insurance premium tax." There was silence. Do you remember? There was real silence back there. They were saying, "Oh, well, maybe we'll just try to sneak that one through."

Let me just tell you, Mr Speaker, just to get an idea

of the difference in the impact, the commercial concentration tax last year brought in \$111 million in revenue to the province of Ontario. By the way, it will bring in another \$45 million this year, so it's not totally eliminated yet; but \$111 million. The tire tax, and I'm approximating this, earned about \$45 million last year. We're talking about \$155 million in revenue.

That's elimination of a tax. Nobody liked that darned tire tax. You'd go to Canadian Tire, you'd buy a new tire, and gee, they'd charge you a \$5 tire tax on top of the Ontario sales tax. I didn't like it. Nobody liked it. It was visible. It was up front. They told you what it was for. Everybody remembers Hagersville.

In fact, it was Bob Rae, when he used to sit over here—what do you call him? Robert K. Rae QC—screaming that it was all Bob Nixon's fault that Hagersville burnt and that Jim Bradley, the Minister of the Environment, couldn't do anything about it.

The tire tax was put in once again for the specific purpose of generating revenue to be spent—

*Interjection.*

**Mr Mahoney:** Let me finish—on research on how to get rid of tires. Was it done? No.

*Interjection.*

**Mr Mahoney:** Listen to me. I'm admitting it. Don't get so excited here. I admit it wasn't done.

I have been saying for years that when a tax is put on, the taxpayers should know what the money is being raised for, how much is needed by the government, when the money will be spent on the project that it's designated for, and then the tax should end. You sunset the tax and you set specific purposes for the use of the money.

Explain that to the taxpayers. Tell them that you're going to put on a tax that will indeed solve the problem of used tires that are accumulating all over this province. Explain to them that you're putting on a tax on commercial properties that will indeed generate revenue to be spent on improving the transportation infrastructure in the province or in the GTA. Explain it and tell them how long it's going to take, based on your best guesstimates, how long it's going to take to raise the money you need and then end the tax.

**Mr Stockwell:** On a point of order, Mr Speaker: I'm sorry to interrupt the member—

**Mr Mahoney:** Another quorum call?

**Mr Stockwell:** It was a good speech, but I think we should have a quorum to hear it. It's a very good speech.

**The Deputy Speaker:** Is there a quorum?

**Senior Clerk Assistant and Clerk of Journals (Mr Alex D. McFedries):** A quorum is not present, Speaker.

*The Deputy Speaker ordered the bells rung.*

**The Deputy Speaker:** A quorum is now present.

**Mr Mahoney:** Thank you, the member for Etobicoke West, for pointing that out.

The point I was making is very simply that we should be very specific when we introduce taxation. We should tell the public what it is, because by and large the public are the ones we should be servicing, who should be benefiting, whether it's improvements to the Gardiner, whether it's new GO train facilities, new cars, more lines. Whatever it is, we should benefit.

I pointed out that there was about \$155 million in reduced revenue by this government in that budget by eliminating the hated tire tax and the hated commercial concentration tax, and then they introduced the lovable insurance tax. How much do you think that generates? Let me tell you: \$745 million will be generated revenue year over revenue year from taxing every driver, every young person, every senior citizen.

We're not just talking automobiles. How are you going to have a house without insurance on it? Do you have a choice? If you do, you're playing with fire, you're playing with serious loss and risk to your family, and so you have no choice. But I think I've figured out the government's mentality in this.

**Mr Anthony Perruzza (Downsview):** On a point of order, Mr Speaker: I'd like to know where you've got that figure. I'd like to know where he got that number from, if he could be clear because I—

**The Deputy Speaker:** It's not a point of order. Take your seat.

**Mr Stockwell:** So it's the first time you've heard of it. So you don't know if it's true or not?

**Mr Mahoney:** It probably is the first time he's heard it, because I know that one of the honourable members opposite told me that he had been assured in a caucus meeting that all small businesses were exempt from this insurance tax. He swore that was the case the day after the budget. He said, "Steve, I tell you, for sure, small businesses are exempt." I won't mention his name to embarrass him, but I said: "So-and-so, that's not true."

**Mr Stockwell:** Randy.

**Mr Mahoney:** No, it wasn't Randy Hope. I said, "That's not true," and he swore it was. I said, "Go and get me the part in the budget that says there is an exemption for small business and I'll be delighted to eat the page in front of you." Now, I haven't seen him. He hasn't shown up, because it ain't there.

1900

**Mr George Mammoliti (Yorkview):** He was only pulling your leg.

**Mr Mahoney:** Well, somebody was pulling his leg, I say to the member; somebody was pulling his leg. I saved him from some embarrassment, because he would

have gone back to his riding and tried to convince the proletariat that indeed their small businesses were sacrosanct in the mind of this government and that they would be exempt from that.

We're talking about a \$600-million windfall for this government. You ask yourself, "Why would they tax something that is not an option?" If you have a car, it's law that you've got to have insurance; that's not an option. Why would they tax senior citizens paying the premium on their home insurance?

Did you read in the paper where the delivery boys who deliver the newspapers in communities have to pay \$50 for insurance? They've got to pay tax on that. You're taxing the newspaper delivery boy. It's unbelievable. You just grab at everything and anything you can. Unbelievable. If it moves, tax it.

*Interjection.*

**Mr Mahoney:** I know you're going to get me on that, but I'll get you back, and at the end of the day no one will really care, so be quiet.

Very clearly, the attempts to package up the elimination of the commercial concentration tax are really quite laughable.

Let me tell you what I think the mentality of the government is. If you went around this room and asked everybody in this room when their insurance premiums come due, when their policies expire or are up for renewal, I would venture to say that, with the exception of the Downsview twins, everyone would have different expiry dates, I'm sure. Well, you probably buy your cars together. You get a cheaper deal if you buy two motorcycles at once. Everyone would have a different date, and therefore it's not—

*Interjection.*

**Mr Mahoney:** The member from Etobicoke's losing it, or he lost it a long time ago; perhaps that's the message.

Everyone would have different dates where their insurance premiums would come due; therefore, you would never get a concerted, angry effort from the constituents out there. You'd get a couple of calls in August and a few calls in September and a couple of calls in November. It's divide and conquer.

You see, I believe, and I know my colleagues believe, that everything this government does has some kind of hidden agenda or motive or sneaky way of doing it, and this bill proves it to be the case. Absolutely no question about it.

What they've done is they've taken away the commercial concentration tax. Hallelujah. Are you in favour of that? All in favour? Carried. I'm in favour of that. I think it's absolutely the right thing to do.

But then you go on. You expand the powers of the Ontario Science Centre. Are they happy? Well, they're

a little scared. How are you expanding those powers? This is really quite ironic for an NDP government to be doing this. This should be Tory legislation; I'm sure they'll vote for it. "So they can follow a more commercial mandate than possible under the current legislation."

**Mr Stockwell:** Right on.

**Mr Mahoney:** "Right on," he says: more commercial. Well, do you know what they want them to do, though, to the member for Etobicoke West? They want to generate some profit out of the Ontario Science Centre—not a bad idea—so that it comes back into the government coffers so they can whittle away at that, what is it now, \$9.2-billion deficit? They're deficit-fighting on the Ontario Science Centre.

Now, who is that going to impact? Well, who uses the science centre? An awful lot of school kids, I'll tell you. An awful lot of school kids go to that Ontario Science Centre so they can further their education, and you're turning it into a more commercial mandate than previous so that you can generate some more revenue. "Revenue," in government parlance, is another word for tax. It is another word for tax.

So once again, the trick's here: They eliminate the commercial concentration tax—

*Interjections.*

**Mr Mahoney:** Mr Speaker, I'm sorry they get so upset; I'll try to talk to you—and then they find a new way of generating revenue, which means generating tax.

**Mrs Haslam:** No, it doesn't.

**Mr Mahoney:** Well, we'll see. They also expand the powers of the St Lawrence Parks Commission. Why are they doing that? Let's examine why they're doing that. They're doing it so they can get more revenue out of Old Fort Henry in Kingston. And what's revenue? I say to the members to my left physically and my right philosophically—

**Mr Stockwell:** That's not true.

**Mr Mahoney:** Not totally, but close. Help me with this now. What is another word for revenue for a government?

**Mr Stockwell:** Taxation.

**Mr Mahoney:** Taxation. So we have more taxation.

The one that really gets me, I say to the member for Oxford, who stands up and says he's sure I'm going to vote for this, is that they want to end the Small Business Development Corporations Act, which I think even the Conservatives would support, which offers incentives to investors to place money in Ontario's small companies. They did not eliminate this because there was no interest, let me tell you. There have been more than 1,300 registrations under this program and, I admit, the government cost has been about \$175 million.

But what the NDP never does, and again it fails to do

it here, is to analyse not just what is the cost, but what is the cost-benefit? Are we actually making money out of this? Are we getting people investing in Ontario businesses, creating jobs, creating taxation, revenue, call it what you like? Let's not worry about the cost-benefit; let's just look at the cost. We'll look at this side of the ledger. We'll forget this side of the ledger, and we'll axe it.

What that then does is force you to increase your revenue in other areas that heretofore you had not done. The fact of the matter is that it almost borders—Mr Speaker, I use this word with some care—on being fraudulent when a bill purports to eliminate a tax in its own right but in fact generates increased revenue, aka taxation, for the government in other aspects.

I suggest to you that this bill is trickery, even with the amendments that have been put in place. I heard the Minister of Agriculture and Food yelling earlier in reference to Bills 34 and 32. He referred to them as fair taxation. You've set up your fair taxation mentality. The public out there is saying, "We don't think you're being fair; we think you're fooling us," and it's up to members of this opposition to constantly be on guard, to never give approval to a bill put forward by this government without examining every word, every paragraph, every sentence, without looking at every i to see that it's dotted and every t to see that it's crossed. Otherwise, we do a disservice to the people we represent, because this government has shown it is quite prepared to trick not only the opposition but the public at large with its ad hoc amendments to certain legislation going through in an omnibus style of bill.

I want to make it clear that I am very much supportive, and my party; in fact, as I mentioned earlier, the member for Oriole introduced a private member's bill that would have eliminated the commercial concentration tax. We understand that it's time to put some incentive back into the economy, that it's time to say to the small business entrepreneur that we believe you indeed are the one who can save this province.

It's time we had less government. It's time this government started practising what the Premier likes to say in public but never delivers in a cabinet meeting; that is, we've got to look to the private sector to help get the economy going so we can generate more revenue so that our deficits can be reduced. We have to do it not just for the sake of those of us here on July 28, but for all of us coming here in future generations and for the entire future population of Ontario.

Thank you very much for the opportunity to put on the record some of the concerns I have about this particular legislation.

**The Deputy Speaker:** Are there any questions, any comments? The member for Etobicoke West.

**Mr Stockwell:** From the speech that was just

delivered by the member for Mississauga West—it's a two-minute thing, by the way—I can only suggest to this House that he must not have been in favour of the commercial concentration tax when he was a part of the government.

**Mr Wiseman:** He said he was.

**Mr Stockwell:** Look, I can understand that, and sometimes you get caught in a position of having to—

**Mr Cousens:** Suck and blow.

**Mr Stockwell:** Sometimes you get caught in a position that your party puts forward policies and positions and you're left in the awkward situation of having to either simply vote in favour of those policies put forward or stick by your principles and oppose them.

I guess I can understand that, because I think when this was introduced, of the two taxes that were levied by the previous administration that I found probably the most offensive, this was definitely one of them. Coming from the Metropolitan Toronto area, or the greater Toronto area as they refer to it, it was a tax that was just obviously a Toronto tax. There was nothing else that could explain this.

**Mr Wiseman:** It was Durham too.

**Mr Stockwell:** Well, a Toronto tax, being the greater Toronto area, GTA, I just said that, and it was a greater Toronto area tax.

The revenues were suggested, and the argument that was made, "You'll get some extra GO trains or a few more stops," may well be true in Mississauga, but the vast majority of the money that was derived from the commercial concentration tax came from Metropolitan Toronto. The bottom line on that is: Let's Move was a nice-playing document, but it was never instituted in Metropolitan Toronto and we didn't get any great transportation improvements in Metropolitan Toronto under that Liberal government.

I can understand today why you'd see it as an offensive tax because with the depression that's taken place in the commercial sector of Metropolitan Toronto and the greater Toronto area, it has even become more obviously a distasteful tax to those people who in fact work in Metropolitan Toronto or own commercial property in Metropolitan Toronto, so I'm happy to see the tax go.

The other segments and points he made in his speech are very well taken. This government has simply replaced a bad tax with a couple of bad taxes, and the couple of bad taxes they replaced it with are going to generate a heck of a lot more money than the bad tax they retired. So to me, that's not any great victory for the taxpayer, it's moving one bad tax off for another.

**Mr Sutherland:** I just want to clarify a couple of points that the member for Mississauga West has made, particularly related to comments about the bill and how

it refers to the St Lawrence Parks Commission.

The member tried to indicate that the changes being put forward were a tax increase. They're not a tax increase. What has to occur now is that any moneys or fees that the parks commission collects go into the consolidated revenue fund. Then, when we give money back to the parks commission, we give them some type of transfer payment, plus we give them an amount equal to the fees that they have collected.

We've heard a lot from the two other parties about effective management policies, about streamlining. I can't think of a more archaic process than the St. Lawrence Parks Commission collecting its fees at the park, submitting them and then us having to give the equal amount back. If that isn't an archaic, outdated management process, I don't know what is.

The Liberal government was there for five years. That's something they could have dealt with. I don't know, maybe it was instituted by the Tory government, but it is not a tax increase. It is doing what they keep asking for: simplify government; simplify the process of how our different agencies operate. It just does not make any sense whatsoever for them to have to submit it and then us to give it back to them. So that is what's being done there.

The commercial concentration tax: Again, it is a good thing, and as I said earlier, I was so pleased to see that Hazel McCallion was supportive of a government initiative. I considered it a very, very historic day when I saw her congratulating the Finance minister for withdrawing the commercial concentration tax, and I'm sure there will be other initiatives she'll support.

**Mrs Haslam:** We all love it when the member from Mississauga central, south, east, north, whatever, stands up in this House, it's so amusing. He picks the evenings. It's like entertainment and showtime when he does his debate, and we all are his captured audience. We can't leave. We have to sit here. We keep yelling, "Don't tease the bears." He never, ever listens to us. So I'm going to be the second clarification for the mistakes he's made today.

When you're talking about the Ontario Science Centre, you're talking about a group of people who produce programs and displays, and now they're being allowed to market that, because they were so popular. There were other science centres all over the world that liked what the science centre produced and wanted to buy those particular programs or their particular expertise, and it wasn't in their mandate to do that. So we're allowing them to market skills that we have here.

It's interesting that you haven't looked deeply into these issues. You say, "Look," you say, "Gee, it's taxation." You can't see beyond—you're supposed to look to the second and third and the fourth page when you do review and when you do research. I know it's

late and I know it's hot, but that—

**Mr Noel Duignan (Halton North):** You're supposed to read beyond the title.

**Mrs Haslam:** Yes. Thank you very much. You're supposed to read beyond the title.

However, I do appreciate your being here tonight to entertain us. It certainly has helped the attendance on this side. We always like to see you participate in debate. It's too bad none of your friends are here. You sit over there all alone, and that's awful, but you always have friends on this side who sit night after night listening to you and we do appreciate you showing up tonight. Welcome back.

**Mr Perruzza:** It's with great caution that I take the floor to respond very briefly to the member from Mississauga, because each and every one of us, when you come into this place, I think you make rules for yourself. One of the rules that I try to make for myself is, never heed or try to respond to someone who is factually not honest in his assessments and in his comments. My own view is to—

**The Deputy Speaker:** Order. You're on a borderline for your language. Just be careful.

**Mr Perruzza:** I'll heed my own rules and not proceed with that line of argument. But I appreciate some of the comments that the member made with respect to the concentration tax and the tire tax. When it was initially introduced, that was a hated tax. They were essentially despised. But, Mr Speaker, I'll have to tell you that I was sad to see the—

**Mr Stockwell:** What are you trying to say, Tony?

**Mr Mahoney:** Spit it out.

**Mr Perruzza:** What I should do is follow my own rules and allow the member from Mississauga to conclude, although I would agree that any tax element or any tax is not welcome or appreciated.

**The Deputy Speaker:** The member for Mississauga West, you have two minutes to respond.

**Mr Mahoney:** Thank you, Mr Speaker.

**Mr Mammoliti:** On a point—

**The Deputy Speaker:** On a point of what?

**Mr Mahoney:** Mr Speaker, put my two minutes back.

**The Deputy Speaker:** What kind of point?

**Mr Mammoliti:** I move unanimous consent to give him a couple more minutes.

**Mr Mahoney:** Unanimous consent. I agree with that.

**The Deputy Speaker:** The member for Mississauga West, you have two minutes to reply.

**Mr Mahoney:** Could I have my two minutes back on the clock, Mr Speaker? Thank you.

First of all, let me thank the members for their comments. Whether they were flattering or not, I don't

much care. I always have a philosophy that if you spell the name right and use a current picture, everything else will take care of itself.

But let me point out to the rather theatrical member for Perth—whom I've always enjoyed as well, your pronunciations in this place. May I say also, respect to you for standing up for your principles with your constituents and for having the courage to tell Mr Rae that you were not going to vote for his bill. I think all Ontarians respect that kind of integrity.

But let me just tell that perhaps you're not aware—I did do the research. Trust me on this one. Perhaps you're not aware, Mr Speaker, and others are not aware that in fact—let me just read, "Charging higher fees in order to visit the Ontario Science Centre and other tourist attractions is economically unsound and will hurt low-income Ontarians."

## 1920

Let's call a spade a spade here. Let's be realistic about this. You people are eliminating one tax and you are, in a very dubious, tricky way, bringing in other revenue generators. I don't care what you want to call a revenue generator. I've been around government for about 15 years and I call it a tax. I rest my case on that particular argument.

To the members opposite, who I realize get upset, let me tell you that you don't get nearly as upset as the senior citizens when they see the increase in the nursing home fees. You don't get nearly as upset as the young drivers, as students who have to go with the taxation we just put in here half an hour ago to increase the cost of used cars, which those kids need to go to school. You're totally on the wrong track. You've got to stop taxing Ontarians. They've had enough.

**The Deputy Speaker:** Further debate?

**Mr Cousens:** We're dealing with a bill that started out as Bill 29, and the title of the bill made everybody say, "That's one that we're going to be so pleased to support." Because the title as it was, An Act to amend certain Acts to eliminate the Commercial Concentration Tax—and then it has more words—was primarily going to eliminate the CCT, which was brought in in 1989 by the previous government, Mr David Peterson, and here they were going to do something about it.

The bill, unfortunately, includes so many other pieces of a grab bag of changes to the way Ontario does business. What you're seeing is that section 12 deals with the Ontario Drug Benefit Act and it goes into a new cost-sharing program which has the pharmacists in Ontario apoplectic about the way the government is dealing with them and the way it is dealing with previous agreements. The bill is full of detail on a wide range of subjects, and one of those happens to be the commercial concentration tax.

I'm grateful for the leadership from the member for

Parry Sound, our House leader, who in discussions with the government made it very clear that we wanted, as a party, to separate the bill into two parts. It should be separated into about 20 parts if you're really going to deal specifically with all the different components of this bill, but at least we're in a position now that Bill 29—this is for the record as much as anything, for all those who were concerned with the diverse impacts that this bill was going to have on their businesses and in the way Ontario does business—is now known as Bill 84, and then there's Bill 81.

We had worked that out in an agreement with the government House leader yesterday, that we're now talking about Bill 84. We're dealing with it so quickly after it was introduced by the government that we still don't even have printed copies. I'm satisfied that the government listened to us in breaking out the bill so that we can have at least a couple of sections that we can identify and separate from this larger picture that they created.

I can't believe that the New Democrats can so mismanage this House and the business of the province of Ontario, can continue to do it so badly. They haven't learned a thing since they came to power in 1990. This kind of continued amalgam, pieces of legislation, just demonstrates their failure to understand the logic that goes into putting together good legislation.

Having said that, it's also quite extraordinary that the government claims tremendous credit in eliminating the commercial concentration tax, while at the same time this year it introduces another tax on parking lots, on parking meters, so that there's an 8% sales tax now on parking meters. On the one hand you're eliminating the commercial concentration tax, and on the other you're continuing to derive revenue out of people parking their cars in the greater Toronto area and all around the province, because the new bill expands it so that anyone who's collecting money on parking is going to be paying the 8% sales tax.

This government really knows how to put its hand in your pocket and take every last penny you've got. If there's anything they were good at, they were good at saying all kinds of things against it when they were in opposition. Now that they're in government, they really know how to shove it at us. There isn't any remorse on their part. They seem to derive great pleasure in continuing to take the money away from Ontario taxpayers, while at the same time doing nothing to improve the way in which business can and should be done in the province of Ontario.

They have not begun to touch the fraud that exists in health cards. They have not begun to do anything about social assistance fraud. They have not begun to look at ways of improving expenditure control in Ontario.

This government, when it comes in with anything, has a way of doing it half-baked. That's what they've

done with the commercial concentration tax, though I support the removal of the commercial concentration tax and though I fought it vigorously, as our caucus did, when the Liberals brought it in under their previous Treasurer, Mr Nixon. We said, and everybody said: "Don't do it. It's a stupid thing to do."

The member from Etobicoke said it well: There isn't any doubt it was one of the worst pieces of legislation of the previous government. Taxation in itself is bad, but a bad tax, a tax that has universal anger and dismay about it—you look at the people who were impacted by the commercial concentration tax. They didn't listen. In fact, you really wonder how well the New Democrats listen, because of the new tax they've levied on us as far as the 8% is concerned. There isn't any doubt that this government doesn't know how to listen and doesn't know how to respond to the real needs of people.

The fact is that the Hotel Association of Metropolitan Toronto is gravely impacted by the commercial concentration tax. You're talking about an industry that's struggling to stay alive. Everything they saw with the commercial concentration tax was: "Don't do it to us. Things are tough enough as it is. We're trying to attract tourists. We're trying to attract people to Toronto. When you start levying these extra costs, we've got to get it back one way or another. It's making us uncompetitive." There were many shows and exhibitions that were cancelled for Toronto and for the greater Toronto area because of the extra burden of cost.

One of the best reports that was put together on this whole issue was one that was paid for and arranged by the Hotel Association of Metropolitan Toronto. It was a report by the consulting firm Pannell Kerr Forster, which outlined the negative impact of the commercial concentration tax.

This report was issued prior to the passage of Bill 46, which is what it was called under the Nixon days and the Peterson days. The Liberal government completely ignored the report's findings. Pannell Kerr's report concluded that the tax would be discriminatory relative to the hotel sector, would jeopardize the economic viability of the hotel sector, and more importantly, would result in lost tourism visitation, lost tourism expenditures, lost taxation and lost employment.

The report also noted that the commercial concentration tax "could not have occurred at a worse time in the history of the hotel industry, as current hotel occupancy has suffered a severe decline. It is evident that the industry is not price-elastic, that prices cannot be increased to pass on the burden. Most importantly, the competitive position of the greater Toronto area hotels in the North American market will be eroded still further."

That was among many of the reports that were tabled prior to the passage of the commercial concentration tax. The bill was bad then and the fact that it is now

being repealed is at least a sign of some hope. The fact that this government has come and added an 8% sales tax on all parking where there are parking lots is just a further insult to it all. Why not at least find some way in which you're going to save people who are trying to do business, who are coming into our communities? But no, not so.

Certainly, when the commercial concentration tax came through it generated something in the order of—I'm trying to get the exact number of millions of dollars—\$113 million. It generated far more than that. It generated ill will. It hurt the industry. It hurt the greater Toronto area. It was one of those things where government didn't listen.

**1930**

I don't know how you do it. I'm not going to go on at length, as I would like to, because we've made an agreement in the House to do a few other things this evening, and we will let them by, but what really has to happen is that there has to be far more public input to the way this process works here in the Legislature. As MPPs, we no longer have any say when we're in opposition. We can speak on it after the government has announced it and given first reading. We can comment on it, we can plead, we can hope, we can try. The fact of the matter is that we have not succeeded in persuading this government to do anything different from the way it wants to do things.

**Mr Allan K. McLean (Simcoe East):** Shame, shame.

**Mr Cousins:** The government is rigid, as the member from Simcoe north says. They are just consistent in doing things their own way.

The tragedy now is that there's an increasingly foul mood and spirit among people who are realizing that the political system isn't working. It isn't working in this place. Certainly, in opposition we have little impact. I see the members on the back benches unquestioningly, it seems, voting for bills, and then they just happen. I really wish there was a way in which we could revise the way this House works to make sure that every one of us had some input and some impact on the way in which business is going to be done.

We're dealing now with Bill 84. I realize there is nothing more we can do. It's good to see it removed. I support that initiative. I wish the Liberals had listened before, but they didn't. At least we're seeing it removed. The fact that this government will continue to derive, I don't know how many millions of dollars—maybe the parliamentary assistant could tell us how much money will be gained through the 8% sales tax on parking. That would be an interesting thing to do, a quid pro quo: What are we getting for getting rid of the commercial concentration tax? I suppose there isn't as much money there, but there is certainly a tremendous amount of revenue that comes out of parking.

Who is the winner tonight? No real winners. The only message that I have, and I've heard it more and more in the halls of Queen's Park and elsewhere is: "Survive to '95. Wait till the New Democrats have to come up for next election and then when they're turfed there can be a sorting out of the tremendous problems they're creating." They've removed this tax but they've added another tax, and then you've got the whole crazy mess of everything else in there. Have you ever tried to unscramble an egg? That's what we're going to have to do two years from now, unscramble the mess that's been created by this government.

Anyway, we will support the aspect of this bill that says get rid of the commercial concentration tax. I voted against, and our caucus has voted against all the other tax initiatives this government has brought out. They could have found other ways of balancing the books. They could have found other ways of raising money than by raising taxes.

**Mr Stockwell:** I just want to make a couple of comments on the commercial concentration tax. I'm happy to see the separation in the bill from the parliamentary assistant. It was, I think, well pointed out earlier in this debate that it was, if not deceitful, a little bit dishonest to go forward with the way the bill was, as Bill 29 stood, with all the amendments and attachments to that particular piece of legislation.

As far as the commercial concentration tax is concerned, I doubt you'll find many members in the Metropolitan Toronto area who would oppose the reduction of the commercial concentration tax, but I would like to speak quickly about the replacement of that tax and ask you, as members in opposition, to think carefully when you implement these or your further taxes.

When you implement a tax on insurance on cars, you're ultimately saying that this is a guaranteed tax, or insurance on homes is a guaranteed tax. There's nothing that anyone can do to avoid paying those taxes. By law in this province, you must carry insurance on your car. If you must carry insurance on the car, you obviously, then, must pay the taxes on that insurance. That to me is a very difficult thing to make people do. It's not like buying things or making a purchase of any kind. If you decide not to make the purchase or you determine it isn't in your best interest at this time to make a purchase, you can avoid the tax. That isn't the case with the car insurance.

You have to have car insurance. You've got to own car insurance to run your car on the road. You've simply replaced that tax with one that is going to be far more lucrative. I believe that the estimates you've made on the revenues produced by that tax are going to be understated. I think they're going to be higher than you suggested in your budget. I wanted to get that on the record, as well as the home ownership tax as far as the

insurance on your house is concerned.

There's something very discouraging to me to think that because of your tax some people will reduce their insured value or the insured contents on their home. Make no mistake: That could very well happen. People have so much money to spend and when you slap a tax on insurance on their home, the option for a person is either not to pay the tax, which of course then you'll go out and get, or they'll reduce the insured value of their home. If they have a fire and they've got to replace that house, the insurance will be reduced because of the tax you levy. I don't understand why you can't accept this argument. It's a very straightforward, logical argument.

Do you think people today are getting raises at their workplace? Lots of them are getting reductions in their pay packet. With reductions in pay packets, they have to make cuts in their own household expenses. When we're talking cuts, what you're doing is increasing the cost of owning a home, by having the insurance. Either they've got to cut there, by reducing the amount they're insuring their property for, or they're going to have to make a cut some place else.

It's double jeopardy, because we're talking about ourselves, for instance. We're taking a 5.5% reduction in pay. It's double jeopardy for these people who work in the public sector. They're getting a 5.5% reduction in pay, or 5% as part of the social contract, and the tax you slap on is going to increase the cost of their home owner insurance, so the gap widens.

**Hon Marion Boyd (Attorney General and Minister Responsible for Women's Issues):** For us too.

**Mr Stockwell:** Yes, for us too; I'm not disagreeing with that. But the gap widens. We may be the lucky ones who earn more than the average income in this province. A lot of people make the average income in this province, which is \$20,000, \$25,000 or \$30,000 a year.

Before you go breaking your arms patting yourselves on the back, telling yourselves what a fabulous bunch of people you are because you removed the commercial concentration tax and the tire tax, why don't you examine the new taxes that you've introduced, taxes that no one can avoid paying, much like taxing diapers, for heaven's sake? When the GST came in and threw tax on diapers, that was absolutely offensive. Now you're going to put taxes on car insurance, which you have no choice but to buy, and on home ownership insurance, which you have no choice but to buy as well.

I don't know if you should go, as the parliamentary assistant was today, and the government was when it announced the budget, applauding yourselves at great length. Before you go applauding yourselves about removing a couple of taxes that would generate you \$155 million and replacing them with two taxes that are going to generate you a heck of a lot more than \$155

million, if I had my druthers and—I think I can safely say this for the vast majority of people in the province of Ontario—if the people of Ontario had their druthers, they would much rather you kept the tire tax and kept the commercial concentration tax and not tax car insurance and not tax home owner insurance, because as far as I'm concerned that tax is going to generate a heck of a lot more money and impact a lot more people than the two taxes you removed.

**The Deputy Speaker:** Further debate? If not, the parliamentary assistant.

**Mr Sutherland:** I want to thank the members who have participated in the debate. Let me just make a couple of comments.

First of all, the opposition has accused us of being sneaky in terms of how legislation was being brought forward. I want to dispute that claim. All pieces of legislation get debated in here. There's nothing anybody can sneak by in a piece of legislation.

We also hear from the opposition that it's concerned because we put all these items together. Earlier, when we were dealing with Bill 32, the member for Markham kept complaining because the legislation had not been brought forward at an appropriate time. By putting them together, this allows us to deal with pieces of legislation related to the budget in a very timely fashion and deal with many aspects at once. I think opposition members would want to support this efficient way of trying to get legislation passed, and ensuring that the government and members of the Legislature can examine more pieces of legislation in a more timely manner.

No one on this side denies the fact that there were tax increases in the budget, okay? We all understand the difficult financial situation. People realize that there had to be tax increases. Those taxes are doing several things. Those taxes are helping to reduce the deficit. Those taxes are helping to pay for those essential services: health care, education. Those taxes are helping to pay for capital investment in this province, so that we can have future economic renewal.

Removal of the capital or the corporate—  
1940

**Mr Mahoney:** Commercial.

**Mr Sutherland:** —commercial concentration tax—thank you—is I think a very, very good move by this government. As I stated earlier in my opening remarks, it might have been appropriate in 1989. It's certainly not appropriate now.

The member for Mississauga West in his comments talked about its being a user fee and those who receive the benefits pay for it. We know the revenue from the commercial concentration tax, like the tire tax, was supposed to be designated for a certain purpose, but it went into the consolidated revenue fund, so people could not see specifically and tangibly that the money

from the commercial concentration tax or the tire tax went directly for the purpose it was supposed to go for, and that is a problem in terms of how taxes are implemented.

I just want to conclude by saying I do think this is a good piece of legislation because we're getting rid of the commercial concentration tax. No one is trying to deny that there are other taxes that were brought forward in the budget and everyone understands that people have to pay them, but overall this is a good piece of legislation.

**The Deputy Speaker:** Mr Sutherland has moved second reading of Bill 84, An Act to amend certain Acts to eliminate the Commercial Concentration Tax and reduce certain expenditures as referred to in the 1993 Budget.

Is it the pleasure of the House that the motion carry? Carried.

Shall the bill be ordered for third reading? Agreed.

**Hon Evelyn Gigantes (Minister of Housing):** I call the third order.

**Acting Table Clerk (Mr Doug Arnott):** Third order, third reading, Bill 124, An Act to amend the Highway Traffic Act, Mrs Cunningham.

**Senior Clerk Assistant and Clerk of Journals:** Will you move your motion, please.

**Mr Dadamo:** I move third reading of Bill 124.

**Senior Clerk Assistant and Clerk of Journals:** No, not yet.

**Mr Dadamo:** Not yet?

**Hon Ms Gigantes:** I'll do that, George. I move to discharge Bill 124 from third reading and discharge it to the committee of the whole.

**The Deputy Speaker:** Mrs Gigantes has moved that the order for third reading of Bill 124, An Act to amend the Highway Traffic Act, be discharged and the bill be referred to the committee of the whole House. Shall the motion carry? Carried.

House in committee of the whole.

HIGHWAY TRAFFIC AMENDMENT ACT, 1993

LOI DE 1993 MODIFIANT LE CODE DE LA ROUTE

Consideration of Bill 124, An Act to amend the Highway Traffic Act / Loi portant modification du Code de la route.

**The Second Deputy Chair (Mr Noble Villeneuve):** Any comments or amendments to Bill 124? The honourable parliamentary assistant.

**Mr George Dadamo (Windsor-Sandwich):** Mr Chair, I intend to move one amendment to Bill 124 at the appropriate time during the clause-by-clause consideration of this bill, that being section 2 of the bill.

**The Second Deputy Chair:** Do we have any amendments prior to section 2?

Shall section 1 carry as presented in the bill? Agreed. The parliamentary assistant, amendments to section 2.

**Mr Dadamo:** I move that section 2 of the bill be amended by striking out "1994" in the second line and substituting "1995."

Bill 124 is the result of a great deal of consultation and study. It is an important safety measure, and the honourable member for London North and the standing committee on resources development should be commended for their work on it.

This government announced a new bicycle policy in July 1992, confirming our recognition of cycling as an integral means of transportation, not merely a form of recreation. Promoting the bicycle's environmental, economic and physical benefits makes sense for people of all ages in Ontario. But we believe that encouraging use of bicycles for transportation demands that we also work to improve the safety of all cyclists.

The government is working to enhance safety in three ways: We promote safer operating practices by both cyclists and drivers; we design improved bicycle facilities when we plan our roads; and we work to prevent head injuries when accidents do occur by encouraging the use of helmets.

Head injuries are responsible for 75% of bicycle fatalities, but experience with similar safety measures, such as seatbelts, has taught us that the most effective way to promote the use of helmets is through a combination of public education and legislation.

As a result of the committee's discussions with a wide range of interest groups, its recommendations for Bill 124 now call for implementation in the fall of 1995. This two-year lead time will provide us with a valuable opportunity to raise awareness and educate cyclists about the benefits of wearing a helmet.

We now have both the time and the momentum to implement this measure effectively. We intend to follow the recommendations of the standing committee to make a smooth transition to legislated use of helmets and we plan to form partnerships with other ministries and with the private sector to raise awareness and to make this legislation work.

The ministry's bicycle safety campaign in the spring is an ideal opportunity to focus our efforts on the benefits of bicycle helmets. It is very encouraging to note that, as a result of the public discussion of this issue and the increased awareness it has created, we see more and more cyclists wearing helmets.

On behalf of the Minister of Transportation, I would like to congratulate the committee and the member for London North on leading this measure.

**Mr Hans Daigeler (Nepean):** This matter is a very important one because it touches the lives of a lot of people, lives in the most direct sense of the word in that in fact it could potentially save the lives of people. It

could potentially save a lot of injuries. So, without question, the initiative that is before the House at this time is a very important one.

Because it is a very important one, I must say I'm very, very disappointed, and so are many people out there who have been awaiting a serious debate on this matter for some time, that this bill has been called at this time, 8 o'clock in the evening before the House recesses on July 28, when normally most people are on holidays and are enjoying life in the way I guess they should in July.

I do feel that the seriousness of this matter under debate would have warranted a serious debate, and it is most unfortunate that we are given a very, very short time, because we're supposed to adjourn at 8:30, and I understand there's even another matter that still needs to be discussed tonight.

I nevertheless do want to put a few comments on the record. I should say at the outset that because this is a very serious matter, we have reflected on it. This has been out in the public mind for some time. The members in my caucus have different opinions on this matter. Frankly, even I myself have seen a growth, in my opinion, on this matter.

I don't think it is a black-and-white issue. There are very strong arguments on both sides of this issue, and I will put on the record some of these arguments that I have heard from my constituents and from people from across the province on both sides of this matter. I will put these on the record tonight, and I think at least they deserve to be mentioned in this House.

I should say that if there had been a proper debate and a proper procedure in this House, because this is a private member's bill, we would have given every member of our caucus an opportunity to vote the way he or she feels is the proper thing to do at this time. Since we are in such a short period, I will simply put on the record my own views and the views of those who take a different conclusion than the one I'm taking tonight.

## 1950

Those who disagree with this measure that is being put forward are doing this out of a very strong sense of commitment to cycling, and they feel very strongly. I've had a meeting in my own riding with representatives of the Ottawa area cycling community, and we had a debate on this matter with representatives of the medical community as well. The representatives of the cycling community in the Ottawa area feel very strongly that this measure could, and they feel that it will, reduce the use of bicycling. They feel that with the reduced number of people who will be using the bicycle, we will also see an increase in heart disease. We will see all the negative effects of not using the bicycle.

They are referring in particular to the example of

Australia, where apparently this kind of bill was passed. According to the reports they are presenting, it led to a decrease in the use of bicycling. I think we're all agreed that this is the last thing we want to see happen in this province.

I think there's agreement across the spectrum that we all want to strengthen and encourage the use of bicycles, one, because of the environmental reasons—after all, it's the least polluting vehicle that we know—and secondly, it has a tremendous usefulness for the health, the wellbeing, the physical fitness of those who use the bicycle.

The argument is being put forward by quite a few very well thought and very well spoken representatives. Avery Burdett, for example, the president of the Ottawa area cycling community, makes that argument very, very strongly and says, "We are certainly encouraging the voluntary use of bicycles, but we feel that if we make this mandatory, it will lead to a decrease in the use of bicycles."

Secondly, the point that he's making on behalf of the group he represents and on behalf of others—frankly, I'm sure as all the members have, I've received letters from London, from Mr Ketelaars and others who feel very strongly that the government, and by the way, whichever government it would be, would be getting away with what appears to be a safety measure and avoiding the necessary infrastructure to encourage the use of bicycles, like special bicycle paths, bicycle education in terms of how to ride a bicycle properly, how to follow the rules of the road.

The parliamentary assistant has made reference to certain policies which the government has put in place or plans to put in place with regard to education and how to promote further the use of bicycles. Frankly, on the basis of the past record of this government, I'm very doubtful that we can look with confidence towards the implementation of a very strong and determined push towards the increased use of bicycles in this province.

I sympathize with the criticism that has been expressed to me by constituents from the Ottawa area, specifically from Nepean, but also from other people from across the province. I sympathize with them when they say that this might be just a means by the government to avoid the real issue, the real issue being, what are we doing to provide the facilities for bicycling, to make sure that the bicycle becomes an ever more popular means of transportation in this province?

I say to the government that on the government's behalf, the parliamentary assistant spoke today and said that they are committed to further strengthening the use of bicycles in this province. I would say to him that we in the opposition will be monitoring extremely carefully and very closely as to whether in fact those promises will be fulfilled.

The parliamentary assistant is moving an amendment to say that this bill, if it is passed, will come into effect only in two years and that in the interim they will be promoting further measures that the public has been asking for during the committee hearings. I appreciate that, and I accept that at face value, but at face value knowing the record so far of this government. Frankly, I understand the scepticism that has been expressed by representatives of the bicycling community.

I should also say that I have had others who have written to me, and I know they've written to the minister as well, who take very strong objection to the fact that here's the government again, I guess Big Daddy or Big Brother or Big Sister, forcing people to take certain actions and interfering, as it were, in their freedoms, that more and more government is taking away, as it were, civil liberties and civil rights of the people. Frankly, again, these people feel very strongly about this, and to some extent I sympathize with that.

I really feel that governments should try as much as possible to stay out of the lives of people, but realistically speaking, it is not possible. We know that some rules and regulations and some laws are necessary, and in the end this particular bill may be one of them. I will be coming to that point as to why in the end I do agree that at this particular point in time we should pass this legislation.

However, I again want to put on the record the very strong reservations and the very strong objections that some members of my caucus and many members of the public have with regard to making the use of bicycle helmets mandatory. They agree that it is a good thing to do. They agree that we should encourage the use of bicycle helmets. In fact, again, as the parliamentary assistant has said, we have observed an increase in the use of bicycle helmets. I do congratulate the member for London North on that matter. By introducing that bill she has increased the awareness of people about the need and the usefulness of bicycle helmets in this province.

I can tell you that in my own riding—I live in Barrhaven, which is a relatively young community where there are a lot of children—in the three years that I've lived there, I have personally noticed the increase in the use of bicycle helmets by the children and by the adults. I think that's great, that's good, and if that has been an effect of the bill being discussed and debated over the last two and a half years, I think that's good.

Now, however, we're coming to the decision whether it should in fact become a bill and should move to that final stage. Because of the way the government has operated, we're now forced to vote on this bill. Frankly, people who have approached me felt that they have not been properly heard. They feel that they have been given very limited opportunity to express their views to the members of this House, and they feel their appear-

ance, a long time ago, before the committee was very minimal. They had hoped that the government itself would be introducing legislation that would again provide an opportunity for the public to make representation and to be properly heard.

Again, I want to put on the record these reservations that have been expressed to me very strongly and very forcefully on behalf of members of the public.

## 2000

I should say that even before I was appointed the Liberal critic for Transportation I felt that this matter deserved a serious discussion and reflection in my riding. As I indicated, at the end of last year, when there was already a possibility that this law might be passed at the end of 1992, I held a forum in my riding. I invited representatives of the bicycling community and representatives of the medical community, and we discussed this matter.

Second, I did a survey in my riding in March, and one of the questions I asked the people was whether they supported the mandatory use of bicycle helmets. To be frank, I was surprised at the results. It would have been my preferred position, for me personally, to continue the education efforts, to encourage very strongly, the way we've been doing, the use of bicycle helmets but, as much as possible, to stay away from bringing in another kind of legislation. However, I must say that when I consulted my constituents they gave, in a very clear majority, a yes to the question, "Do you want bicycle helmets to be mandatory?"

For the information of the House and for the information of the public, it is only a survey in my own riding, and obviously the results may be different in other ridings, but I think it would interest the members of this House that in a telephone survey—in fact, I had two types of surveys: I had one that was done by telephone and another one that was by writing in—the overall results in the telephone survey were that approximately 77% of the people we phoned felt they supported either very much or somewhat to make bicycle helmets mandatory.

**The Second Deputy Chair:** I'd like to remind the honourable member that we are dealing with an amendment that moves the date from 1994 to 1995.

**Mr Daigeler:** That's precisely why I'm putting these comments on the record: first, because this is the first opportunity we have to speak on this bill and, second, I think the results of the survey and the results of the letters we've received very much impact on the possible implementation period of this particular bill.

As I indicated, 77% of the respondents agreed either very much or somewhat with the idea of making bicycle helmets mandatory. I should say that the women were even more in favour than the men; there was a clear distinction between males and females. Among males it

was about 70%, still a majority in favour. Among females, among women, it was 85% in favour.

On the other hand, we did have approximately 18% of the people very strongly opposed to this particular initiative, and some of the questions and some of the concerns they have raised are precisely the ones I have already put on the record. As I indicated, as this matter is of great importance to a great many people, I think it is very important to hear directly what some of these people had to say.

For example, one of the people in the written survey who wrote in about this particular bill said the following: "Bicycle helmets may reduce the severity of head injuries, but they do nothing to reduce the severity of other injuries, particularly spine. On the other hand, they give the wearer a false sense of security. What is needed is not a reduction of injuries but a reduction of accidents by forcing bicyclists to obey the rules of the road, but the police consistently turn a blind eye, even to the most hair-rising eccentricities of some of these acrobats." This is from people who are strongly opposed to this particular initiative.

One of the other comments these people made, and I think we would be well advised to take them seriously, is as follows: "Next the government will be telling us we must wear boots or hats in the winter so we don't catch cold."

Obviously, there's a very strong feeling among a lot of people that we have too much regulation and that this particular measure will add to all the government regulations and bills we already have on the record.

**The Second Deputy Chair:** I want to remind the member that we're dealing with a change of date from 1994 to 1995.

**Mr Daigeler:** That's quite correct. I'm quite aware of this, and that's precisely why I want to make sure the public is well aware of what is involved in lengthening the debate for what it will take—

*Interjections.*

**Mr Daigeler:** Mr Chairman, as I indicated at the beginning of these remarks, I have had calls from the public who were very, very upset that there's no debate on this bill, and I think we owe it not to the members of this House but to the members of the public to put on the record some of the serious concerns they have about this bill. Even though I personally will be supporting this bill, I think the members of the public who have a different view about this matter deserve to be heard and deserve not to be shoved aside by this government or by anyone else.

**Mr Paul Klopp (Huron):** You never even came to committee.

**Mr Daigeler:** If the members on the government side would be prepared to listen to what the public has to say, we would be bringing in better legislation.

If I can put on the record, on the other hand, what other people have been saying about this bill, how they feel about this matter and why they think it is worth it to bring in mandatory helmet legislation, one of the comments that was made in the survey is as follows: "Just one accident prevention would make it worthwhile." For me, in the end, that is the argument that is strongest; that even though this is another measure of government interference in people's lives, I think there is an element of safety and, as I said at the very beginning, an element of preventing deaths and serious injuries and lifelong harm and sorrow to people. In my view, interference in the private lives of people will be warranted.

Contrary, apparently, to the members opposite, I do recognize, I do appreciate and I do value the opinion of people who have a different view than my own. I do accept them and I do want to put them on the record, and I want to recognize that they deserve to be heard, other than the government apparently wants to do. If the members over there do not want to give the public an opportunity to voice their opinions, they will face the consequences during the next election.

**2010**

I should say too that other people who have indicated support for this particular legislation also feel that if it cuts down in injuries, obviously it will cut down on hospital costs. Again, I do want to indicate here one of the comments: "For the individual's safety and to cut hospital costs and time away from work for those injured, it does make this legislation worthwhile." Another comment from the public was, "Head injuries cost a great deal to rehabilitate, and in young children frequent biking injuries are leaving severe damage."

This is a point that was being made to all members of this House, in particular by the Head Injury Association of Ontario. They've made very strong representation during the presentations of the committee. They have made very strong representation that on the basis of the accidents they have seen, bicycle helmets would in fact reduce the injuries and therefore prevent serious harm to the families.

Now, as I indicated, one of the other responses from the public reads as follows: "Broken limbs can be fixed, but broken skulls?" This point is very well taken—

**Mr Randy R. Hope (Chatham-Kent):** On a point of order: I notice the Chair keeps bringing up the date. Are we in committee of the whole talking about a date change?

**The Second Deputy Chair:** The committee of the whole is speaking about Mr Dadamo's amendment changing the date from 1994 to 1995. The member for Nepean has the floor, and I want to remind him that we are dealing with the date.

**Mr Daigeler:** As I indicated, this matter is of great

importance and deserves to be discussed at least at some length to give one opportunity for the public to be heard through the representatives in this House.

Now, I do understand that we have had a number of debates and discussions during this day and I do want to leave some opportunity for the other members to speak on this matter as well. However, I feel very strongly that this matter is a very serious one and some of the concerns that have been expressed very forcefully by members of the public on both sides of the issue needed to be put on the record.

As I indicated, I have received, and so have the other members of the House, strong representations from various groups, including, for example, the Toronto Cycling Association, who in the beginning were opposed to this bill. However, on consideration, they have changed their minds and they are now supporting this legislation.

Therefore, and in view of the survey results, in view of the comments that I have received from the members of my riding, from the constituents of my riding and from representatives of the public at large, I am personally prepared to support this bill.

I am putting the government on notice that we will be watching and we will be observing, and so will the public, extremely carefully and with great scrutiny as to what you will be doing over the next two years when this bill will then come into effect—as it's obvious it's going to be passed here—on October 1, 1995.

I certainly hope that at that time the bicycling community will applaud you not just for this particular bill, but for all the other efforts that you have put into place to promote the use of bicycles in this province.

**The Second Deputy Chair:** Is it the pleasure of the House that the amendment to section 2 carry? Agreed.

Shall section 2, as amended, carry? Carried.

Shall section 3 of the bill carry? Carried.

Shall the bill, as amended, carry? Carried.

Shall the bill, as amended, be reported to the House? Agreed.

**Hon Evelyn Gigantes (Minister of Housing):** I move that the committee rise and report.

**The Second Deputy Chair:** Ms Gigantes has moved that the committee rise and report. Is it the pleasure of the House that the motion carry? Agreed.

**The Acting Speaker (Mr Noble Villeneuve):** The committee of the whole House begs to report one bill with a certain amendment and asks for leave to sit again.

Shall the report be received and adopted? Agreed.

**Hon Ms Gigantes:** I seek consent to go to third reading on Bill 124.

**The Acting Speaker:** Is it the pleasure of the House that the motion carry? Agreed.

### HIGHWAY TRAFFIC AMENDMENT ACT, 1993 LOI DE 1993 MODIFIANT LE CODE DE LA ROUTE

Mrs Cunningham moved third reading of Bill 124, An Act to amend the Highway Traffic Act / Loi portant modification du Code de la route.

**The Acting Speaker (Mr Noble Villeneuve):** Does Mrs Cunningham have some opening remarks?

**Mrs Dianne Cunningham (London North):** It's with a great deal of pride that I speak in favour of the legislation this evening and forward my appreciation to members of this Legislative Assembly, to members of the standing committee on resources development who looked at this bill, to members of the staff—and I'm going to name four of them because they've put tremendous efforts into this legislation: Mike Weir, David Edgar, Heather Clarke and the research clerk, Anne Anderson—and I think above all to the Premier of Ontario, to the former Minister of Health and to the Minister of Transportation, because they have in fact encouraged this legislation from the very beginning.

It was first introduced three years ago, but this particular piece of legislation was introduced in June 1991. For all of us who've been involved from time to time in the process I think it's been a very rewarding one for this Legislative Assembly. The report that was produced by hardworking members of the committee and many, many representatives of the different government agencies and departments and ministries was a report under standing order 108 on bicycle helmets. If members of the public are watching this debate, I would encourage them to read it.

Most of the opposition to this legislation is as a result of persons not reading this report, not having the opportunity, as many of us did, to listen to the experts as they came to us and gave us advice on the most controversial issues related to this legislation with regard to coverage—who should be covered, exemptions, where coverage should apply; enforcement—what the penalty ought to be, enforcement practices in North America and other parts of the world; helmets—the standards that we ought to look for, the manufacturing; and the financial impact on cyclists and government.

I think the most important issue for the members of the committee and this Legislative Assembly and all of us in the next two years will be the education awareness programs that the ministry has given its support for. That means, in these very tough times, that this is an important piece of legislation. The resources that are necessary from the government mean more dollars for educating the public. We hope the private sector will continue to be involved, and even to a greater degree, because we do need that kind of support.

We have specific recommendations in the report. I'll just speak briefly.

"The committee recommends that the Ministry of

Transportation contact the Association of Municipalities of Ontario, advise them of the intent of Bill 124, and request that they encourage municipalities to review their transportation and recreation policies with a view to increasing bicycle safety on municipal properties such as parks and bicycle paths."

It was already mentioned by the parliamentary assistant, the member for Windsor-Sandwich, to whom I am grateful for his remarks and his encouragement, with regard to this government's bicycle policy and its encouragement to the municipalities to become more involved in safe cycling by improving and adding to bicycle pathways and bicycle laneways, because we know that this helmet alone cannot in fact help to prevent serious head injuries.

## 2020

It's not just the helmet. We know it's extremely important or this legislation wouldn't be before this Legislative Assembly after more than three years of public debate, nor would we be asking that this be enforced some two years down the road—in fact, more than two years—so that people have time to be educated, so that they have time to plan their finances so that they can purchase helmets, so that the manufacturers in this province hopefully will get involved in manufacturing so that there will be more jobs. There are all kinds of implications to this legislation.

We have six recommendations. Another one, number 2, supports the development of enforcement guidelines. The intent of this bill is not that we levy a fine; it is that we give a warning and that persons who don't have helmets when they ought to after 1995 be given the opportunity to go out and purchase those helmets.

The third recommendation is that the Ministry of Industry, Trade and Technology promote the development of an Ontario-based manufacturing industry for bicycle helmets, and manufacturers should be urged to produce helmets that meet the CSA standard.

I'm proud to present to the Legislative Assembly—and for those of us who know that we didn't have a manufacturer, it looks like we may have one. It's called the Buddy Helmet, Peel Coalition for Injury Prevention. I think this is a result of hard work, and we have to actually thank the media for the reports that they've been providing in the last six or eight months. It's not something that most of us would do on most occasions. But you know, it's not really a very happy event that's usually being reported.

Three years ago, the only people who got any media were people who were opposed to this legislation, for whatever their reasons were, usually because they didn't want legislation. Most of us don't want it. We've had three years to wear our helmets. We have less than 5% compliance. The government had to move forward. If people who don't want legislation had promoted the use of helmets and had made certain in their own commun-

ities that people wore them in the last three years, perhaps we wouldn't have needed it. They still have three years. Let them get their work done.

**Mr Hans Daigeler (Nepean):** That's not fair.

**Mrs Cunningham:** The member for Nepean says that's not fair. I think it is fair. I think as children lose their lives and serious injuries occur on a daily basis, it's more than fair. I would say that I actually thank the member for Nepean for his enthusiastic, lengthy support of the legislation this afternoon.

Number 4, the committee welcomes the initiatives of the private sector, communities and government. The private sector has been extremely helpful—and drug companies, the medical associations, professional organizations—in the promotion of the wearing of cycling helmets and they continue to put advertisements out to help parents buy helmets more cheaply. I think that it's extremely important. The cost of helmets has come down some \$20 or \$30 in the last couple of years, I'm advised. So we want those kinds of initiatives.

We also want the government to explore alternative opportunities for increasing the affordability of bicycle helmets through the use of special tax incentives.

I'm sure that members of this Legislative Assembly understand how thoroughly we looked at the complaints and the concerns about this legislation.

Recommendation number 5: "The committee recommends that the Ministry of Transportation immediately take the lead role in developing the funding and implementation of an education and awareness campaign to support the use of bicycle helmets."

This is all work that will be done with the government and the private sector, school boards, health organizations, the Kiwanis clubs and others.

The last one: "The committee recommends that the Ministry of Transportation should take a lead role in implementing Bill 124 and monitoring compliance both on and off the highway."

There's ongoing work involved with this legislation and I'm very proud of the process and in fact the non-partisan way in which all of us, I think, have tried to handle an important piece of legislation. I think most of us wish that it was unnecessary.

But in fact the statistics are these: Every year more than 15,000 Ontario children need medical treatment as a result of bicycle accidents. Approximately 1,500 are severely injured, and at least 15 children die. Those are very sad statistics. I guess really the need for the legislation is self-explanatory.

I would like to go forward and thank the Toronto City Cycling Committee and specifically Barbara Wentworth; the Hospital for Sick Children and Kiwanis injury prevention program that had done so much more work before any of us got involved; the Ontario Head Injury Association, which works with the government

on an ongoing basis in prevention, treatment and rehabilitation with regard to head injuries.

I'd like to thank a parent. She's a very special person. Just two years ago this month her daughter, who was a student of law, passed away as a result of a head injury associated with an accident on her bicycle. Trish Woodworth is with us this evening. She's made this her personal goal in memory of her daughter. All of us ought to know we're talking about real people when we talk about this legislation. I thank her personally, and I would like to say I think she has a lot of courage.

For people who are against this legislation, all they need to do is speak to the families of children and adults whose lives have been changed for ever.

I hope this bill will be helpful to this government and to the Minister of Health, because in today's health care system, acute care costs can range from \$1,500 to \$2,000 per day. In fact, those are real numbers. A patient requires usually six weeks of acute care at least if in any form of a coma, and we're looking at \$63,000 to \$84,000 just for those six weeks. Insurance companies have advised us that the care of a head-injured patient usually ranges between \$2 million to \$4 million over a lifetime, and that's government money when in fact insurance companies aren't involved.

We've looked at all of the issues. We've done our very best to meet the concerns of our critics. I think we're giving them more time to get to us and share their concerns further. I'm sure that will be the case.

It's been a pleasure to be part of this process. It's with pride that I worked with my colleagues here. I guess my great hope would be that lives will be saved; that we won't have to look at newspaper articles and letters from parents that remind us, from neurosurgeons, from real people; smiling faces of little children who won't smile the same way again because in fact, as this mother said, and I think I'll end with this—this is in Victoria Children's Hospital—"Doctors say he will live but they aren't sure of the extent of brain damage." My closing remarks: "Jordan wasn't wearing his bicycle helmet. His mother said it was a struggle to get him to wear it."

**Mr Randy R. Hope (Chatham-Kent):** To the member for London North, if you were allowed the appropriate time that was left and the member from the Liberal Party wouldn't have taken it up, you probably could have started the education process immediately, which would have helped the two-year lag time.

I've been very open and honest with the member about this process and through the committee process and have been very clear about the concerns that have been expressed in my own community. It was my understanding that on Canada AM this morning you also indicated the concern that was reflected in Chatham of those who opposed the legislation.

I have my own beliefs. I have two small children. They are not allowed on their bikes without a helmet. That is a parental order, I guess they must refer to it as. They know the rules that are implemented there by my household. They are not allowed on their bikes without their helmets.

My community has very clearly expressed to you and to other members that it is in support of the voluntary use of the helmet and not the mandatory use of the bicycle helmet. But I can only make sure that I express the concerns of my community, which has been very loud and very solid on this issue. They're asking me to vote opposed to the legislation and the mandatory use of it. I, as the member who represents their concerns, will do so.

#### 2030

To the member for London North, who knows I've been very actively involved with the head injury association, with Ray Rempel—as a matter of fact, I started the association up in my own community. But I believe there is a process we have to go through, and as an elected member who represents those constituents of the town of Wallaceburg, the city of Chatham and the rural community I represent, I must apologize to the member opposite; I will be voting no on the legislation.

**Mr Daigeler:** Frankly, I find it outrageous that the members of the government side should try to prevent representatives of the public from putting on the record the views of the public. As I indicated at the beginning of my comments, there are serious concerns on both sides of the issue, and I think we owe it to representatives of the public to be given an opportunity to hear those comments in this House.

**Mr Anthony Perruzza (Downsview):** If he's feeling guilty for something, this isn't the place for it.

**Mr Daigeler:** This is the place for the public to be heard, for the member who is commenting from the other side.

I would like to indicate to the member for London North that she's done well. She has pursued a very important matter to the end, and I congratulate her.

On the other hand, I find it very unfortunate that she chose to criticize those who disagree with her and put the blame on those people who disagree with her position for the public not wearing bicycle helmets. This is the responsibility of all of us, and I know these people who are opposed to the mandatory use of bicycle helmets have done more than their share to encourage the voluntary use of helmets, and it's most unfair to blame those who are against this particular legislation and representatives of the public in my riding and across the province and from her own riding for a lack of voluntary use.

So while I congratulate the member for London North, I was very disappointed that she chose to attack

those who had a different view on this matter. I support her view; however, I also respect and I also want heard those who have a different opinion, on any other matter that's before this House.

**Mrs Barbara Sullivan (Halton Centre):** I too want to commend the member for London North for moving ahead in such a strong and analytical way with this bill. The work she has done has enhanced the work all of us as members do and is a fine reflection on this House.

I want to add to the thanks she has given another letter of thanks, if you like, to the Ontario Head Injury Association, which has proceeded in a very positive way to locate manufacturers of helmets that are available at reasonable prices that indeed will help to avoid some of the tragedies we've faced.

I think this is a good piece of legislation. The time lines will assist in helping people to adjust to a new system, just as time lines on the introduction of seatbelts assisted people in adjusting to that kind of new scenario and a new way of life.

**Hon Evelyn Gigantes (Minister of Housing):** I seek consent to have the vote taken on third reading.

**Mrs Cunningham:** Can I just—

**The Acting Speaker:** We have to have responses first.

**Mrs Cunningham:** I will make it brief. I hadn't planned on making these 20-second comments, but I feel the need to do so, given the criticism I've received from my colleagues.

**The Acting Speaker:** Order, please. We can accommodate one more participant with questions or comments. Okay, no further comments. The member for London North has two minutes in response.

**Mrs Cunningham:** I'm sorry, but I do feel the need to put this on the record. I think all the members of the Legislative Assembly know we only make good decisions through hard study and hard work and response to

criticism, and I have to say that the committee listened very carefully, as I did myself, to the criticism we received over this legislation.

It's extremely important for the member for Nepean to understand that I at no time have criticised those who have tried to help us in their constructive way. I said I was extremely disappointed that persons in Ontario hadn't worked a little harder to get compliance. All of us could have worked harder to see that more children, more adults, wear helmets. If I left the wrong impression, I would like to withdraw it at this time.

I think it's extremely important to know that Mr Henk Ketelaars from London is one of the most vocal opponents of this legislation, and I'd like to say before this House that we're friends; we've become friends because of it. We respect each other's opinion, and we continue to work together to make this legislation more appropriate for everybody with regard to his concerns.

There are other members, but to the member from Chatham, I respect his point of view. He doesn't feel he can vote in favour of this legislation, and I respect his point of view. I respect the tremendous contribution he made to the committee by raising questions on behalf of his constituents, and he's given me the opportunity at this time to say that I'd like to thank Mr Ray Rempel from the Ontario Head Injury Association and especially his son Jeremy, who is a young man who has recovered from a head injury and has set a wonderful example for all of us with his courage and his perseverance.

**The Acting Speaker:** Mrs Cunningham has moved third reading of Bill 124. Is it the pleasure of the House that the motion carry? Carried.

I do now resolve that the bill do pass and be entitled as in the motion.

It being now past 8:30 of the clock, this House stands adjourned until 10 of the clock tomorrow morning.

The House adjourned at 2037.

## ERRATUM

No.	Page	Column	Line	Should read:
55A	2808	1	32	Wilmer Martin, who decided to take a leave of absence



## CONTENTS

Wednesday 28 July 1993

### COMMITTEE OF THE WHOLE HOUSE

<b>Retail Sales Tax Amendment Act, 1993, Bill 32</b>	
Mr Sutherland .....	2909
Mr Cousens .....	2909
Mrs Caplan .....	2910
<b>Vehicle Transfer Package Statute</b>	
<b>Law Amendment Act, 1993, Bill 34</b>	
Mr Dadamo .....	2913
Mr Cousens .....	2913

### THIRD READINGS

<b>Retail Sales Tax Amendment Act, 1993, Bill 32</b>	
Mr Sutherland .....	2915, 2916
Mrs Caplan .....	2915, 2916
Mr Cousens .....	2916

### Vehicle Transfer Package Statute

<b>Law Amendment Act, 1993, Bill 34</b>	
Mr Dadamo .....	2917, 2918
Mrs Caplan .....	2917
Mr Cousens .....	2917

### SECOND READINGS

<b>Budget Statute Law Amendment Act, 1993, Bill 84</b>	
Mr Sutherland .....	2919, 2924, 2928
Mr Mahoney .....	2919, 2925
Mr Stockwell .....	2924, 2927
Mrs Haslam .....	2924
Mr Perruzza .....	2925
Mr Cousens .....	2925

### COMMITTEE OF THE WHOLE HOUSE

<b>Highway Traffic Amendment Act, 1993, Bill 124</b>	
Mr Dadamo .....	2929
Mr Daigeler .....	2929
Ms Gigantes .....	2933

### THIRD READINGS

<b>Highway Traffic Amendment Act, 1993, Bill 124</b>	
Mrs Cunningham .....	2933, 2936
Mr Hope .....	2935
Mr Daigeler .....	2935
Mrs Sullivan .....	2936
<b>Erratum</b> .....	2936

2001  
A  
23

Common  
Papers

No. 57A



N° 57A

ISSN 1180-2987

## Legislative Assembly of Ontario

Third Session, 35th Parliament

## Official Report of Debates (Hansard)

Thursday 29 July 1993

Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

## Journal des débats (Hansard)

Jeudi 29 juillet 1993

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers



### **Hansard on your computer**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. Sent as part of the television signal on the Ontario parliamentary channel, they are received by a special decoder and converted into data that your PC can store. Using any DOS-based word processing program, you can retrieve the documents and search, print or save them. By using specific fonts and point sizes, you can replicate the formally printed version. For a brochure describing the service, call 416-325-3942.

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

### **Subscriptions**

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Lists of members**

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month. A list arranged by riding and including ministerial responsibilities appears on subsequent Mondays.

### **Le Journal des débats sur votre ordinateur**

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Ces documents, télédiffusés par la Chaîne parlementaire de l'Ontario, sont captés par un décodeur particulier et convertis en données que votre ordinateur pourra stocker. En vous servant de n'importe quel logiciel de traitement de texte basé sur le système d'exploitation à disque (DOS), vous pourrez récupérer les documents et y faire une recherche de mots, les imprimer ou les sauvegarder. L'utilisation de fontes et points de caractères convenables vous permettra reproduire la version imprimée officielle. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

### **Renseignements sur l'Index**

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

### **Abonnements**

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.

### **Listes des député(e)s**

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et dans le numéro du premier lundi de chaque mois. Par contre, une liste des circonscriptions inscrites dans un ordre alphabétique et comprenant les responsabilités ministérielles paraît tous les lundis suivants.

Thursday 29 July 1993

The House met at 1004.

Prayers.

EXPENDITURE CONTROL PLAN  
STATUTE LAW AMENDMENT ACT, 1993  
LOI DE 1993 MODIFIANT DES LOIS  
EN CE QUI CONCERNE  
LE PLAN DE CONTRÔLE DES DÉPENSES

Resuming the adjourned debate on the motion for second reading of Bill 50, An Act to implement the Government's expenditure control plan and, in that connection, to amend the Health Insurance Act and the Hospital Labour Disputes Arbitration Act / Loi visant à mettre en oeuvre le Plan de contrôle des dépenses du gouvernement et modifiant la Loi sur l'assurance-santé et la Loi sur l'arbitrage des conflits de travail dans les hôpitaux.

**The Speaker (Hon David Warner):** By rotation, there should be an opportunity for the third party. Are there any other members who wish to enter into the debate? The member for Mississauga North.

**Mr Steven Offer (Mississauga North):** I am pleased to take part in this debate. I do so at the outset indicating my position in opposition to the bill before the Legislature. I am hopeful, in view of the very thoughtful comments made by previous speakers against this particular legislation, that the government, even at this date, may see the error in its way and take back the legislation or vote it down. I am still hopeful that will take place.

My comments with respect to this legislation and in opposition to the legislation really have behind them three driving forces. The first which leads me to oppose the legislation is as a result of many discussions which I have had with constituents throughout my area. Many people from throughout my riding have called voicing some very deep concerns over the direction that the government is taking in the area of health care. They have voiced concerns, raised specific incidents and have shared with me I believe some very personal opinions as to their concern about this legislation and about the direction that the government is taking in this area.

The second driving force which leads me to oppose this particular piece of legislation is as a result of discussions which I have had with physicians in one portion of my riding. In the city of Mississauga we have two very good hospitals. I have had occasion to meet with physicians who have shared with me their opinions as to what this bill may mean to the health care system and the delivery of health care services in the province and, of course, in my area of representation in the riding of Mississauga North and throughout the city of Mississauga. After listening to those physicians as well as to my constituents, I am provided with the second

reason for my opposition to the bill.

The third reason is my own analysis of the bill and some background information. I believe that on any objective reading of the legislation, one cannot help but oppose the legislation and the direction that the government is taking and be very concerned and fearful as to what the impact and implications of this legislation will mean to the provision of and delivery of health care services in our communities.

I am pleased that the Minister of Health is here to listen to these comments because I believe it is she who will be very responsible in terms of this legislation and in fact what its implications may mean.

I think within this province, and indeed throughout the country, there is no question that when people think of one thing that they are most proud of, many times the first thing that comes to mind is the health care system in our province. People speak about the provision and breadth of service, the scope, the expertise, and indeed that word "universality" comes to mind many, many times.

I think that as we discuss Bill 50 and what it means, and in this case my opposition to it, one cannot help but be always mindful of the fact that many people in this province hold out our health care system as one of the single greatest characteristics that make this province a place different from other jurisdictions, and indeed the health care system in this country different from other countries.

There is no question that people feel a certain security that in the event they require health care services they will get those services, that they will receive those services in an expert fashion and that they will not worry about the personal financial cost to them.

**1010**

We do not live in a jurisdiction where health care puts people into bankruptcy. There are other jurisdictions, other countries, where the single greatest cause of personal bankruptcy is the provision of health care services. We are fortunate that we do not live in a province or in a country where that is the case, and it is for that reason that I oppose this legislation. I believe this bill puts this system under attack. I want to take a moment just to explain my reasons.

Currently we have an OHIP schedule. It is a list of the services that are provided, the schedule of services in the health care field that every individual is entitled to. That list of services is as a result of discussion, primarily between the government on one hand and the Ontario Medical Association on the other.

The government comes to the table on those discussions and, I think rightly so, has in its mind the issue

of cost: How much can the government put to the health care field in any one particular year? The Ontario Medical Association comes to the table primarily, I believe, with in its mind, the issue of what medical services should be insured to all citizens in this province. The two sit down and come to an agreement, the government keeping in mind the cost aspect, the medical association the health care aspect. In past years, after some negotiation, we have had an OHIP fee schedule that melds the two interests, and it has worked.

I believe under Bill 50 that what we are doing without any question is taking out the meaningful participation of the Ontario Medical Association in those discussions. I believe Bill 50 will destroy the heretofore successful participation of both the government and the Ontario Medical Association in determining what services should be provided to all citizens in this province with an understanding of the cost restraints and constraints that every government must face.

I am moved by a letter I received from the Ontario Hospital Association, which clearly indicates that this is their primary concern, and it reads in part:

"The proposed legislation is designed to give to the government extraordinary power to determine the type of services to be provided and the circumstances under which these services will or will not be paid for."

The Ontario Hospital Association goes on to say:

"We are not aware of any provincial legislation that gives to cabinet this type of all-inclusive power without the necessity for consultation."

It follows by saying:

"The powers defined in the legislation go far beyond what is necessary to satisfy the stated objects of the act, to the extent that one could conclude that the government may have abandoned all intentions of joint management of the system by the parties."

This letter from the Ontario Hospital Association clearly indicates firstly that the system is based on the principle of joint management: government dealing with dollars and the medical association dealing with the need to make certain there are essential health services provided. Bill 50 takes out of that management system the jointness of it. It takes out the meaningful medical participation in the decisions around what is medically necessary, and that to me is a fundamental problem that Bill 50 will bring forward. It is a reason why I believe everyone should oppose this bill and bring it down when it is called for a vote.

What we will have in the event that Bill 50 is passed is that the Minister of Health and the ministry will have extraordinary powers to decide what is to be covered, who is to be covered and the scope and breadth of the service to be covered. I believe, in a word, that they are just not qualified.

I will use a very recent example from my area,

Mississauga. We have a private ambulance service in Mississauga. My portion of the riding has an ambulance service of two cars, four attendants. Because of the government's slashing of their budget, it has resulted in incidents where an ambulance will attend on the scene with only one attendant. I brought this forward in the Legislature on Monday. I explained to the Minister of Health how this happened, that on the one hand the government has frozen the budget of the ambulance service in my riding, while it has increased the cost of operating the service on the other. It means that in the event an attendant is sick or on vacation or on compensation, the ambulance service does not have the money to replace that person. In the event that there is a call for emergency service, an ambulance may appear at the scene with one person in the car.

I asked the Minister of Health whether, in her opinion, that is an appropriate level of emergency care in this province. And in fact, what she has indicated is that there are circumstances in which it is appropriate. I believe that response to a very clear question clearly outlines that the Minister of Health is not qualified to make those decisions as to what is or is not medically necessary.

Using that specific example in my riding, the fact that there are ambulances in my area attending on the scene with one person in the car is akin to having two flat tires on the 401: You're just not going anywhere. I wish the Minister of Health would understand that is not appropriate. She does not understand that. I fear what that means when we deal with even more complicated areas of the provision of health care services.

As I've said, I believe this bill will attack the universality of our health care system. Under the bill, the minister will, in an increasing fashion, have the right to indicate what the services are that are going to be covered, and she can continue to contract the services that are going to be covered.

It is absolutely clear that all of those services that are on the list will be universally accessible. But it is equally clear that the number of services on the list will become smaller and smaller and smaller. On principle, we have to ask ourselves, when is a program based on universality not universal, when the number of services, the number of degrees of service it covers, becomes smaller and smaller? Is it universal when everyone can share in nothing?

I believe that is a redefinition of what universality means. I believe the powers being given to the Minister of Health will contract the level of service provided under the health care scheme in this province to a degree where universality will in fact have been eroded.

The other aspect I bring forward—and I'll try to make my comments as brief as possible, Mr Speaker, because there are many members in our caucus who wish to speak on this particular piece of legislation—is

that when you contract the service, when you are attacking the universality by virtue of the fact that fewer and fewer things are being covered, what does that lead to? It will, without any question, lead to a two-tier health system. It is as clear as the members here today that what you are doing by passing Bill 50 is, in short order, introducing a two-tier health system.

1020

In that respect, I read a further letter, this from the College of Physicians and Surgeons. It states—and again I read in part—that they hope this bill “will give members of the Legislature the opportunity to reflect on some of the fundamental changes that could result from the passage of the bill.”

“While the government has an obligation to control costs, it cannot, even with the best information and intentions, practise medicine by setting out in regulation what the limits of particular services should be under different clinical circumstances. Yet this is the apparent effect of one of the suggested amendments...contained in Bill 50.

“This amendment interposes the government both between the patient and the health care provider and between the patient and the actual place he or she must receive a particular medical service. It also opens the door to a two-tier, US-style health care system by introducing the notion that the patient must pay in certain circumstances for services which have previously been considered medically necessary and have thus been fully insured.

“Bill 50 provides for limits to be imposed by regulation on a patient’s legitimate need for essential medical services and on a provider’s moral duty to render those services. It precludes professional judgement and denies legitimate essential services to those who need to receive more than the arbitrarily imposed number of said services.”

We’ll take cancer care as an example.

“Who would determine how many treatments and of what kind could be rendered by a particular doctor in a particular institution to a particular patient?

“What would happen to that doctor or institution if the approved number of treatments were exceeded?

“What would happen to the patient if he or she reached the government-prescribed ‘limit’ and was either refused further treatment or could not afford to ‘buy’ the services required above the government limits?

“Cost controls are a fact of life. The issue, however, is where to put the controls so that essential medical and health care judgements are made by the most informed and responsible people, within the financial limits defined.

“Health care decisions are individual decisions: Individuals have different health care needs, and pro-

fessionals must have the flexibility to exercise their professional judgement in the best interests of their patients. If costs are to be controlled in a humane manner, those controls must be based on front-line clinical judgements, not based on government decree.”

Is there any one of us who does not have either a family member or a friend who has been stricken with cancer? This letter by the College of Physicians Surgeons of Ontario clearly indicates that what you are doing when you pass this bill is arbitrarily giving to the Minister of Health the right to say the number, the type, the breadth, the scope of treatment.

I say to you in this Legislature today that the Minister of Health is not qualified to make those decisions and members within the Ministry of Health are not qualified to make those decisions. The Ontario Medical Association, the experts, the professionals, are qualified. Our system has been based on universality. It has been based on a partnership of the medical association with government, the experts with the budget, and it has worked. Bill 50 kills that.

I believe that when we are talking about this particular piece of legislation and the impact it would have on issues such as cancer treatment, who will receive heart operations, who will be eligible for kidney dialysis, who will be eligible for a myriad of other essential medical services, it is not for us to say that the Minister of Health is the person who makes those decisions.

Remember on Monday of this week that the Minister of Health felt it was appropriate in certain circumstances that an ambulance could attend on a scene with one person in it. I ask everyone in this Legislature, how would you feel if, God forbid, you or your loved ones required the need of an ambulance service and it pulled up to your house with one person in it? What would you say to the Minister of Health when she responded to me and said that is an appropriate service? You figure out how a person needing that service can be properly attended to. The short answer is that they cannot be.

And this bill is giving far greater powers than that to the Minister of Health. I believe that is something in itself that should call upon all of us to say no, this is not the way to treat the medical system, the health care system in this province; this is not the route to take.

If we are going to be looking at restraint, we must involve the medical association, the professionals. We do not shut the door in their face. They are the ones who have the education and the moral duty to provide essential medical services in this province. We require their assistance and their input.

What we do not want is a Minister of Health who believes that a one-person ambulance service is appropriate in any area in the province to be making decisions on the breadth and scope of cancer treatment, on

who should receive kidney dialysis, on who should be eligible for heart operations. That is what Bill 50 will inevitably lead to.

But it will go further, because as we take that list and make it smaller and smaller, we are introducing a two-tier system. What we're going to be saying as the list of insured services contracts is that those who can afford to pay for the extended cancer treatments, those who can afford to pay for kidney dialysis, those who can afford to pay for heart operations, will get, and those who can't, won't. That, to me, is a much different health care system than we have had in this province.

With all the problems that our health care system has had, with all the efforts to improve our health care system, it has always been felt by people across this province to be something of which they are proud, something about which the word "universality" still means something, something about which, when people do get ill, they do not have to worry about the financial implications that will accrue to themselves personally, that it will not throw them into a state of bankruptcy, as happens in other jurisdictions, in other countries.

Bill 50 will rip apart the principle of universality. It will, without question, introduce a two-tier system of health care services so that those who have the money to pay for that which has previously been provided will still get it, but those who do not, won't. I believe that is a disservice to all of us, because when one person is denied medical service because they cannot afford to pay for it, we are in fact all denied medical service. I think Bill 50, with its implications and the unilateral and arbitrary powers it gives to the Ministry of Health and the Minister of Health, is one which we should be voting strongly against.

I end by saying that when a Minister of Health in this province feels that a one-person ambulance service is an appropriate level of service, that provides the reason why we should not be giving further powers to the Minister of Health to make decisions which are indeed in that area.

I am going to be voting against Bill 50. I will be voting against it because of the discussions which I have had with my constituents, because of the discussions I have had with, yes, physicians in my area and, yes, because of my own analysis of the legislation. Bill 50 will be an attack on universality. Bill 50, without question, will be the introduction of a two-tier, US-style health care system in this province, for which we will all have to shoulder the blame.

I ask at this time that the members of the government vote against the bill. I ask that they look to themselves and ask: Should any Minister of Health have the power to decide the scope and breadth of cancer treatments? Should any Minister of Health be able to say that a one-person ambulance is an appropriate service to the people of this province?

1030

**The Acting Speaker (Mr Noble Villeneuve):** Questions or comments? Seeing none, further debate on second reading of Bill 50?

**Mr Allan K. McLean (Simcoe East):** I appreciate having this opportunity to provide a few brief remarks on Bill 50, the Expenditure Control Plan Statute Law Amendment Act, which is before us today.

During the recent debate on Bill 48, the social contract, I noted my opposition to Bill 50, which had been introduced by the NDP government on the same date. This bill represents a totally unacceptable government intrusion into the management of health care delivery in the province of Ontario. There are many other ways in which the objectives of this bill can be achieved without resorting to executive control of the detailed management of health care.

The major impact of Bill 50 will be on physicians and other professionals, and it will be extended into the hospital diagnostic and therapeutic services that are directly paid by OHIP.

Bill 50 will give the government extraordinary power to determine the type of services to be provided and the circumstances under which these services will or will not be paid for. On top of this, the amount of the payment, if any, may also be determined by order in council, as well as the type of physician or facility that will be paid.

I believe this is another example of NDP legislation that will set an unacceptable precedent, this time in the health care system, without major public debate and without much public consultation.

I recognize and respect the right of a government to control its fiscal position, and I support efforts to improve the delivery of health care services in the province of Ontario, but I really don't believe the actions of this government are improving our health care system at all, and neither do many of the people in Simcoe East who have written to me about delays in scheduling their surgery or abuses of the health card or the lack of beds to accommodate people who really need to be admitted to hospital for treatment. And now we have Bill 50; it's legislation that I fear will only make a bad situation worse.

Here are some of the concerns that have been expressed to me about health care under this government. Over the last several weeks we have had a lot of correspondence from constituents with regard to problems getting into the hospitals and having their problems looked after.

I had a letter that I sent to the minister from a Mr Morley Clement of Orillia, who has been seven months enduring a great deal of pain while waiting to have his hip replaced. Last week he was informed via telephone that his booking was for August 14, 1995. We find that

very unsatisfactory.

I know there are other facilities in the province that I hope will look after this individual's care with a much more speedy result than this operation would be. As a matter of fact, I sent a letter over to the minister from him with regard to that. In the meantime we have looked at other facilities, and I understand now that Mr Clement may be able to have his operation before Christmas of this year. When we're looking at the overall aspect of health care, I think if you're turned down by one facility there has to be another avenue to look at.

I had a Dr Gaffney from Penetanguishene write to me on behalf of a Mr Robert Warren. He was having problems too: loose hip repair. To this date he has not got a date at the Royal Victoria Hospital in Barrie, where that operation is to be performed. There is a waiting list there of nine months to a year. Is Bill 50 going to solve these types of problems we have in health care today?

Dr Gaffney wrote me a letter about his concerns with regard to Bill 50. He said: "The biggest loser in all this mess, however, will be the patient, as physicians will no longer wish to extend their liability for zero dollars. If this current government wishes us to work less and not allow new physicians to pick up the slack, who then will be looking after the sick people?"

You can do a poll in the province and most people will say we have the best health care system in the world. But when you ask those people who have been involved in the health care system as patients, they realize we have the best when you get there, but the waiting time appears to be the problem.

I have another letter from a Mr Harold LeGard of Orillia, who expressed his great concern with regard to the way seniors are being treated in terms of health care in the province. He raised the issue, which was raised several years ago, of dental care. That was a commitment made by the previous administration, and to this date there has not been anything implemented in that regard; there has not been anything this government has done to ease the pain, so to speak, for some of those people who need dental care. Mr LeGard wrote to me on that and wanted me to bring it to the attention of the House, and I've done that. I hope the people who are listening know that they may be in the same position as Mr LeGard has been in.

In wrapping up, the College of Physicians and Surgeons of Ontario has written many letters with regard to this very issue. Some of them, to me, spell it out very clearly in about one page. I just wanted to read a couple of paragraphs on one page to express that:

"This amendment interposes the government both between the patient and the health care provider and between the patient and the actual place he or she must

receive a particular medical service. It also opens the door to a two-tier, US-style health care system by introducing the notion that the patient must pay in certain circumstances for services which have previously been considered medically necessary and have thus been fully insured.

"A more sensible and sensitive alternative would be to allow the providers to work together with patients to provide necessary medical services within a predetermined global budget.

"As it stands now, Bill 50 provides for limits to be imposed by regulation on a patient's legitimate need for essential medical services and on a provider's moral duty to render these services. It precludes professional judgement and denies legitimate essential services to those who need to receive more than the arbitrarily imposed number of said services. For example, taking only the area of cancer, it raises questions such as:

"Who would determine how many treatments and of what kind could be rendered by a particular doctor in a particular institution to a particular patient?

"What would happen to that doctor or institution if the approved number of treatments were exceeded?

"What would happen to the patient if he or she reached the government-prescribed 'limit' and was either refused further treatment or could not afford to 'buy' the services required above the government limits?"

To wrap up, I'd like the Minister of Health to comment on some of these issues that I have just raised and find out whether these people are telling me exactly what they see in that bill. If they're not, then I would like the minister to be able to correct, for the record, what is really in the bill.

The College's letter says:

"Cost controls are a fact of life. The issue, however, is where to put the controls so that essential medical and health care judgements are made by the most informed and responsible people, within the financial limits defined."

"Health care decisions are individual decisions: Individuals have different health care needs, and professionals must have the flexibility to exercise their professional judgement in the best interests of their patients. If costs are to be controlled in a humane manner, those controls must be based on front-line clinical judgements, not based on government decree."

Those are some of the comments that I wanted to raise on Bill 50 this morning.

In conclusion, I urge the government to reconsider the intent and the scope of Bill 50 and either to withdraw it or to focus it more closely on the stated objectives. At the very least, this government owes it to people like Morley Clement, Robert Warren, Dr Gaffney and Harold LeGard to subject this legislation to open public

discussion, and I hope the committee hearings will see the light of day on what this proposed law is all about.

**1040**

**Mrs Irene Mathyssen (Middlesex):** Throughout the last two presentations, I kept thinking of history and particularly of Santayana, who said, "Those who forget history are doomed to repeat it."

Much of what I heard today reminded me of the arguments about universal health care back in the early 1960s. I was a mere child, you understand, but I still recall those arguments about how patients would suffer, how the province would go to hell in a handbasket if the idea born in Saskatchewan about providing universal health care to all the citizens of this great nation ever, ever was given substance in any part of Canada. Well, we have it in Ontario, and we have had it for these 30 years, and it has served the people of Ontario well.

I have heard a number of stories here today about patients who have written to their members to talk about what they have experienced first hand at the hands of this government. I too converse with my constituents and I have a number of stories that I could tell.

Firstly, I could tell you about a constituent who talked about his wife, who had recently received knee surgery, and how the success of that surgery enabled her to walk as she hadn't been able to in a number of years; how pleased they were and, interestingly enough, how they felt lucky to live in Ontario, because the woman's brother, a resident of Michigan, had to undergo the same surgery and it was going to cost him \$13,000 per knee. He didn't know whether or not he could afford that; he had real concerns about being able to manage that kind of cost.

So in the province of Ontario, while we may have to wait, it's not like the US, where patients are welcomed into hospitals as long as they have the money and where the concern about how you can pay is foremost, and not whether your health and your wellbeing are in jeopardy.

**Mr Larry O'Connor (Durham-York):** I just want to add a little to what my colleague the member for Simcoe East has said this morning. Contrary to a lot of beliefs and myths that are being put out there, the government isn't about to start practising medicine. It's not the intention of this government to do that. But what is necessary is reform.

We've seen health care costs rise from the late 1970s and early 1980s from 25% of the budget to now a third of the budget: \$17 billion. That's a huge portion of taxpayers' money that's going to health care.

What I've then got to ask is, has health care really gone up? Have we seen marked improvements in health care over that period of time? It has certainly cost us a lot more. I don't think so, because I still keep hearing about underserviced areas. I talk to my local physicians out in rural Ontario, and they have one heck of a time

trying to get doctors to come out of the city to rural, small-town Ontario. It's a great place to live, a great place to raise children, warm, wonderful communities, yet we can't get the doctors to come up.

I would encourage any doctors who are watching this morning to take a look at some of the ads when you see them in your local papers suggesting that maybe you come up. I know a lot of my doctors up there spend a lot of advertising dollars to encourage others to come up, but they don't even take the chance. You know, there are a lot of wonderful people up that way, and it needs to be done.

We've got to make sure that health care remains accessible to the people of Ontario. I think the increased costs are going to end up causing a lot of problems down the road if we don't start tackling some of that.

The government is working on a lot of reform in health care right now. We've managed to take the cost of the running of hospitals, which is just a component of health care, and bring that under control. We've taken a look at reforming long-term care, and we're going to continue that reform. It's going to take a while, but at the same time, we're giving people alternatives, and if the best alternative for one of my constituents is staying at home, I think we have to offer that opportunity.

**Mr Robert W. Runciman (Leeds-Grenville):** Initially, I want to compliment the member for Simcoe East. He has been around this House since 1981 and has witnessed a great number of changes in respect to health care in this province, certainly in the way in which physicians are treated, in efforts by both the Liberal government and the Liberal-NDP accord, and now the NDP government, in terms of increased intervention by government in the health care system in this province, reduced access to services and, in essence, a growing inclination to in effect turn physicians in this province into civil servants.

I don't have a lot of faith in the people in the health care community, especially physicians, to recognize who their friends are. I just want to remind the people out there of the deputy leader speaking in the House the other day when I questioned him on the position that the Liberals took during the extra-billing fight when they were, of course, in bed with their friends in the NDP. Socialist and quasi-socialist parties I would describe them, the NDP and the Liberals.

They're the people who made that first massive step in terms of getting their fingers into the pie in terms of determining just what doctors can or can't do in terms of the billing practices and in terms of chasing some very highly qualified world-class specialists out of this province, and indeed that's been the end result of that interference on the part of the Liberal government supported by its friends in the NDP.

I just want to once again put that point on the record for all of those people out there who are very much concerned about this inclination, this growth of government tentacles into the health care system, especially into the ability of physicians in this province to do a good job on behalf of all of us. Just remember that the Liberals were there in 1986-87 to do the job on you, along with their friends in the NDP, the socialist and quasi-socialist parties of this province.

**The Acting Speaker:** We can accommodate one final participant.

**Mr Bob Huguet (Sarnia):** Just very briefly, my colleague the member for Middlesex referred to the implementation of medicare in Saskatchewan and referred to it as being born in Saskatchewan in, I believe, 1963. I was also born in Saskatchewan, much before 1963, and I can remember discussions around my family's table on a particular occasion when a relative of mine was due to go in for some surgery.

There was concern at the time that the family would not have the money to pay for the surgery. I was a very young child at that point in time, and of course I looked at the conversation and listened very carefully and approached my mother after that and said, "Mother, does that mean if we don't have the money the relative is not going to get the operation?" Of course the answer was, "We'll find the money, and we'll get the operation done," and it was done. That conversation stayed in my mind all these years in terms of what it meant to people who didn't have enough money to deal with health care properly.

I'm proud of the NDP in Saskatchewan. I'm proud of Mr Douglas, who was instrumental in bringing medicare to this country and to all the provinces in Canada.

I think the reason we need to deal with health care reform today and the reason this government has to show as much leadership of the day and as much leadership as was shown in Saskatchewan is to ensure that such conversations as the conversation I referred to in my youth do not take place again in the province of Ontario.

**The Acting Speaker:** The honourable member for Simcoe East has two minutes in response.

**Mr McLean:** I'd briefly like to respond to the comments made by the members for Middlesex and Durham-York, who didn't talk about my comments at all but talked about health care. I want to thank the member for Leeds-Grenville for his remarks. I want to thank the member for Sarnia, who talked about Saskatchewan, which wasn't in my remarks at all either.

The disappointment I have is the fact that the minister was here and I challenged her to reply to some of the concerns I raised in my remarks. The minister did not see fit to do that. She let her backbenchers all remark for two minutes, but she kept silent.

The other issue that has not been talked about in my remarks, and it's a very important issue in Simcoe county, has to do with the commitments that have been made for the Royal Victoria Hospital in Barrie, the Collingwood Hospital and the Orillia Hospital for the expansions that were taking place there. I want to commend the communities that have raised the millions of dollars; over \$5 million alone raised in the city of Orillia and communities for the addition and upgrading that was necessary there.

When we look at the long-range planning in health, Bill 50, to me, is going to probably put a lot of these on hold. There will not be any expansions taking place in the Health ministry; there will be cutbacks. When I look at the issue surrounding the Royal Victoria Hospital in Barrie, which was designated as a regional hospital, there have been more sod-turnings at that hospital ground than any I can remember.

I understand in estimates the minister is making some commitment that yes, the commitment they have made with regard to the Simcoe county hospital will be proceeded forward with. I also understand that the minister has committed to setting some timetable of when she will be making the announcement to have those facilities done. I look forward to that announcement soon.

#### 1050

**Mrs Elinor Caplan (Oriole):** It really is with a great deal of sadness that I rise to participate in the debate on Bill 50. I looked up the debates that we've had in this House and I pulled out in particular what I had to say when Bill 135 was tabled.

For the information of those watching the debates, Bill 135 was the act tabled by the former minister, Ms Lankin, as it related to the Ontario Medical Association and its agreement with the provincial government. That act was brought forward to this House in 1991. The debate on second reading took place, and I participated, on November 7, 1991.

I thought I'd begin my remarks today by repeating some of what I said. As I say, it is not only with the experience as a former Minister of Health but as someone who viewed that agreement with the Ontario Medical Association with some real concerns that I expressed here in the Legislature. Let me just put on the record what I said on November 7, 1991, about Bill 135:

"While the piece of legislation before us today conforms in spirit with the agreement that was entered into, I believe the government of the day, the New Democratic Party, before too long will realize that this is not in the interests of the people of Ontario and we will see that agreement discussed again in this Legislature in the not-too-distant future, when the agreement stands in the way of health reform and when the doctors of this province realize that the powers that have been

given to the Ontario Medical Association are not in the interests of either the rank-and-file members or those who are not members. I do not believe this legislation is in the interests of the doctors who are licensed to practice in Ontario."

I also said very clearly at that time that I did not believe that Bill 135 was in the interests of the people of the province of Ontario. I said then, during that debate:

"In many aspects, the Ontario Medical Association will have a veto over further health reform policies in this province. At the same time as the Ontario Medical Association has achieved that kind of health policy veto, the Ontario government did not gain the opportunity to influence the structural reforms that are so badly needed in this province."

One of the other points I want to make about what I said during that debate, because I think it is relevant to the discussion today, is that I said:

"I know it might surprise many people in this Legislature when I make the statement that when I was at the Ministry of Health, I believe that on most health policy issues we found the participation and the involvement of doctors right across this province a very important and significant contribution to the development of health reform policies. Doctors were involved in virtually every committee within the Ministry of Health while I was there. Doctors, whether they were members of the Ontario Medical Association or not, were involved in the development of reform strategies of the Ministry of Health and served on virtually every advisory committee within the ministry."

On November 7, 1991, I said in this House, "We"—and I was referring to the Liberal government of the day—"had quite a good working relationship with individual doctors in this province." I said then, "That does not mean that we agreed on everything; we certainly did not.

"We had a reasonable working relationship with the Ontario Medical Association until it came to the question of powers for the Ontario Medical Association." They wanted the Rand formula, they wanted a union-labour management model and we objected. There were tensions. In fact, I said in quite a humorous way that I like the doctors of this province on an individual basis but that I found the Ontario Medical Association a challenge when I was Minister of Health, and I think that's fair comment.

It's not a partisan comment because I know that Larry Grossman and former Conservative Health ministers also found the professional association of organized medicine, under the name of the Ontario Medical Association, challenging during the many years of Conservative government in this province. I know that Larry Grossman, as Minister of Health, had a strike

by the doctors at that time, and it was a very divisive and difficult time not only for the doctors of the province but for the Progressive Conservative government of the day.

I know the Liberal government between 1985 and 1990 had its struggles with organized medicine as we struggled to change and reform our medicare system as we know it in a way which would protect those basic principles we all believe in.

There was a strike in 1986, and it was about money and everybody knew it was about money, but there were many difficult feelings and passions that were raised during that strike. I remember on many occasions and I remember as well Premier Peterson at the time stating very clearly when that strike was over that nobody had won, that in fact it had been a pyrrhic victory because of the ill will that it had generated.

I remember standing in this House on numerous occasions during the three years of my tenure as Minister of Health between 1987 and 1990 listening to the rhetoric from the then Leader of the Opposition, Bob Rae, from David Reville and from Dave Cooke and from those who were so sure they had simple and easy answers, from those who said, "Reform in the health system is not about better planning and better managing and structural change."

We stand in the House today debating a piece of legislation which I never believed I would ever see tabled in this House. Certainly it was not something I ever contemplated when I had the privilege of serving as Minister of Health.

The reason I never contemplated it is because this piece of legislation is the beginning of the dismantling of medicare as we know it. This is not about reform. This is not about better planning or better managing or better service delivery. This piece of legislation will not contain the rate of growth as a percentage of gross national product. This legislation will not contain the rate of growth of health expenditure as a percentage of our wealth, which is measured by GDP. It will not contain expenditure when you look at per capita expenditure, how much you spend on each person. This legislation will not affect those global costs, because when you consider gross national product, when you consider per capita expenditure, it doesn't matter whose budget it comes from.

I want to state very clearly, once again, as I did for the three years I had the privilege of serving as Minister of Health, I don't believe our health system in Ontario is underfunded. I don't believe more money will fix the system. In fact, I believe that as a percentage of our gross domestic product and our per capita expenditure we are spending enough to be able to provide for the health of our population and to treat people in need of care, people who have illness, people who have chronic disease and disability and need the supports that an

illness treatment health care system can provide.

Let me state clearly, I believe we have enough money in our system. I believe we have enough money in the delivery of health care services in the province of Ontario. I believe we have enough of our resources, as a percentage of our gross domestic product, that are consuming our wealth in the delivery of health services. Having said that, I also want to say that if you allow too much of your resources to be spent on those things that consume wealth, one of the things that I know and believe is that this is very unhealthy for your population, because the determinants of our health have a lot more to do with having a job and having a clean environment than they do simply with being able to access illness treatment services.

1100

One of the flaws of our medicare system, when it was first developed, was that it was wholly and completely unmanageable in that it was open-ended. There were no incentives built in to ensure that the resources were used either effectively or efficiently. There were no incentives built into the system to encourage the kind of change and innovation, both structurally as well as in practice, that comes with a notion of a system.

I used to say—and I say it today because it hasn't changed, unfortunately, in the two and a half, almost three years since this NDP government took power—that we do not have a system, that we have a non-system. One of the reforms that I believe has to come is the development of linkages and networks so that people have incentives to work together, to talk to each other, to plan effectively, to manage within existing resources that are available, to make sure that we set our priorities and that people get the care they really need.

One of the major problems we have within the health system is that because every incentive is perverse—let me repeat that: Every incentive as it exists today is for quantity. Every incentive is for volume. Every incentive in the system is for waste, and that's nobody's fault. I'm not standing here today to blame this government.

The only blame that I would assess is that they have wasted valuable time, particularly since Bill 135 put a halt to the important reforms that were under way. The reason Bill 135 put a halt to those reforms was that it gave a veto to one party in the discussion, as I said in that debate on November 7, 1991. That's unfortunate, because partnership in my view is about shared responsibility. Partnership in my view is getting all of those people—stakeholders, interested persons—together and saying: "All right, this is the problem. Let's sit down together and let's make the kind of changes that will improve results."

Unfortunately, this government's Bill 50 runs totally contrary to everything I believe in. Bill 50 gives to this Minister of Health and future ministers of health powers

that I believe no Minister of Health should have. We do not have a government-run system. We don't even have a government-run non-system. We have a publicly funded, privately run medicare system in the province of Ontario.

With all of its flaws, it has served us reasonably well. It is not perfect. It has never been perfect. Unfortunately, much of the rhetoric that we have heard in this House over the years, that we have heard actually since the development of medicare in the late 1960s, has not changed. I listened very carefully to my friends from the Progressive Conservative Party, and I will say again, as I stand here today, that it doesn't matter which party serves in government, the challenges of reform of the health care system will remain. However, the difference between the Progressive Conservative Party, the Liberal Party and the New Democratic Party is their approach to solving those problems.

Time and again we have seen Bob Rae and the NDP say that their approach to solving problems is government intrusion, government intervention, government-run. We have seen them force the private sector out of child care. We are seeing them force the private sector out of the delivery of health services, all in the guise of health reform, and I will say to the minister, who's here today, that what is important in my view and from my experience as a former Minister of Health is not so much who delivers the service, but the result. Are those services meeting the needs of the population? Are those services sensitive and responsive and timely?

I believe there is a very important role for the private sector to play in the delivery of health and social services. I believe that with accountability built in and with government as a partner, with shared responsibility, not unilateral responsibility, we can avoid the pitfalls of the US model.

I despaired when I received a copy of the letter from the College of Physicians and Surgeons of Ontario, and let me quote what they say. I agree with what they are saying.

For those who are watching this debate, the College of Physicians and Surgeons of Ontario has a mandate to act in the public interest. While we have a self-governing model for the professions, it is incumbent on the professions, through their colleges—in this case I'm referring to the College of Physicians and Surgeons of Ontario. That body is not only the discipline body for its members; that body has a mandate to act in the public interest and to advocate for the public interest, and I'm very proud it has taken that position in the last months since it has been given to it under the health professions legislation.

Let me tell you what the College of Physicians and Surgeons, the public body that shares, with the Ministry of Health, responsibility for the public interest—not the interests of doctors, not the interests of health providers,

not the interests of hospitals, not the interests of any individual, but the public interest—has to say.

They say, and I agree with them, “The government has an obligation to control costs.” However, they say, “It”—the government—“cannot, even with the best information and intentions, practise medicine by setting out in regulation what the limits of particular services should be under different clinical circumstances.”

I’m quoting certain parts of their letter, “This amendment”—to Bill 50—“interposes the government, both between the patient and the health care provider, and between the patient and the actual place he or she must receive a particular medical service.”

This is intrusion into clinical decision-making in a way which was never, ever contemplated in the development of medicare in this country.

Let me say that again: With the development of medicare in this country—and it began gradually. In the late 1950s we paid for what doctors did in hospitals, and in the late 1960s we decided as a society to pay for what doctors did wherever they provided that service. As medicare developed over the years and we unanimously, in the federal House of Parliament, agreed to the Canada Health Act in 1984—a unanimous vote in the federal Parliament—never was it contemplated that public administration would mean anything more than government partnership or government payment for services.

We have seen this kind of intrusion of the insurance company, which has been the traditional role of government, in the United States, our neighbours to the south, and this is what the College of Physicians and Surgeons has to say about that:

“It”—Bill 50—“also opens the door to a two-tier, US-style health care system by introducing the notion that the patient must pay in certain circumstances for services which have previously been considered medically necessary and have thus been fully insured.

“Deeming certain kinds of services (or a specific number of occasions of a particular service) to be uninsured will simply transfer the costs to either the patient or a third party. As in the United States, this will eventually lead to the third parties (ie, insurance companies) deciding and defining the medical needs of the patients.”

## 1110

This is not hypothetical. This is exactly what is happening today in the United States. This is the US model. It is what people in the United States most detest about their system. It is that the insurance company decides what the patient in the United States can receive on the basis of what coverage he has, and it is totally the opposite of everything that we have believed in in Canadian medicare.

We believe that universal, reasonable access to a

publicly administered, comprehensive health care system means that people will get what they need. The tradeoff for that is that we sometimes can’t get what we want, particularly if medical judgements determine that it is not needed, or that we will have to wait while those who are in more urgent circumstances go first. Those are clinical judgements made by medical and nursing professionals, usually in the hospitals of our province.

I agree with the College of Physicians and Surgeons of Ontario when it says, “A more sensible and sensitive alternative would be to allow the providers to work together with patients to provide necessary medical services within a predetermined global budget.”

During the years I served as Minister of Health in this province, I spoke on many occasions about the need to have the kind of reforms that would allow for better management. Certainly, in an open-ended system, it is impossible to reallocate, it is impossible to eliminate waste.

Predetermined global budgets have been in existence in this province in hospitals since 1982. That was a Conservative initiative and, frankly, I think it was a good one.

Unfortunately, following that, we had successions of governments and ministers who never encouraged the hospitals to manage anything because they picked up their deficits. They picked up the deficits at the urgings of official oppositions that screamed that if you didn’t provide everything that the hospitals said they wanted, you therefore were not fulfilling the mandate.

**Hon Ruth Grier (Minister of Health):** And nothing’s changed.

**Mrs Caplan:** The minister says, “And nothing’s changed.” In fact, it has changed. It changed because in 1987, when I became Minister of Health, I stood in this House and said we need better planning and better managing, despite the cries of Bob Rae and Ruth Grier and others in this House. I said it was very important to manage the resources, it was important to eliminate the waste.

We must say to the hospitals: “You have an obligation to manage within available resources and then make your case for more, and make your case for more on the basis of who can provide the best high-quality service at the best price. Answer the question, where do you stand within your peer group and are you as efficient as you can be and what is your result? Let’s move to an outcome review and analysis.”

I’m proud of the progress that has been made in the hospitals of this province, and I see Minister Grier nodding her head in assent. They have done remarkably well during very difficult, challenging times. I’m very proud of them because I know how difficult that discipline of management is.

**Mr Anthony Perruzza (Downsview):** Elinor, you

gave \$100 million to Sunnybrook and zero to York-Finch when you were minister.

**Mrs Caplan:** Those are the kinds of reforms and changes in all of the programs that are delivered within the health care system in the province of Ontario that we should be talking about and discussing. What we should not—

**Mr Perruzza:** We know, we've got the goods on you.

**Mr George Mammoliti (Yorkview):** You promised York-Finch money. What happened? Hundreds of millions of dollars and zilch to York-Finch.

**The Deputy Speaker (Mr Gilles E. Morin):** Order. I would ask the members for Downsview and for Yorkview to be a little more moderate in the expression of your emotions, please. The member for Oriole.

**Mrs Caplan:** What we should not be doing at this time is beginning to dismantle medicare, create a two-tier system, or simply delist and make people pay. That is not a healthy alternative—

**Mr Mammoliti:** We want to know why you didn't give York-Finch any money.

**Mrs Caplan:** —and when you consider gross domestic product, when you consider per capita expenditure, not only will that not solve our fiscal problems, that approach will make matters worse. I despair, because people do not believe that the New Democratic Party government of Bob Rae is doing what it is doing.

**Mr Perruzza:** Playing politics with medicare.

**The Deputy Speaker:** Order. The member for Yorkview, the member for Downsview, I ask you to remain under control, please. The member for Oriole.

**Mrs Caplan:** I'd ask the Speaker to put the time back so that I can complete my remarks.

For the minister, let me quote to her from Dr John Evans. I know he's well known to the minister and very well respected. It sums up as well the concerns I have, but I'm going to use him today as a third-party validator, and I hope the members of the government benches will listen very carefully. This is not a partisan exercise: I'm quoting him as an expert in the development of our health system and as a former dean, a founder of the medical school at McMaster:

"With the pressure for strict cost containment of government expenditures on health care, some are recommending that private expenditures outside the publicly insured system should be allowed. While this might appear to be a safety valve for the pressures on government-controlled expenditures, it would almost certainly lead to greater total expenditure on health, reducing the share of GDP which is channelled into economic development."

"Additional private expenditures on health care are not likely to have a significant impact on the health of

the population and will create the tensions of a two-class system of health services. At the same time, private expenditures on health will almost certainly lead to demands that employers provide these benefits, placing an additional strain on their competitiveness."

"It is critical that the total social service expenditures, public and private, not erode the economic investment necessary to create and sustain jobs in the productive sector. There is an abundance of evidence that unemployment isn't good for your health. In Canada at this time, investments to create jobs in the productive sector are more important to the population's health than additional investments in health services. The challenge is to continue to increase the efficacy and effectiveness of our health services to enhance their health impact and meet new challenges rather than add a major private channel of expenditure to supplement our existing substantial public investment."

I leave the minister and members of the government caucus with this thought, because what Bill 50 does is lead us exactly in the wrong direction down the wrong path to health reform. Bill 50 is not health reform. Bill 50 will lead us, I fear, to a government-run system which will not act in the interests of either patients or providers. It will not lead us to the ability to deal with that which is of concern to us, which is making sure that people get the care and the services they need in a timely manner.

Because you will, through Bill 50, lead us down the road of the dismantling and the destruction of medicare, it will, as Ontario and Canada today have one of the best-funded health care systems in the world, open the potential for us to become economically uncompetitive. You are allowing into the health care system and into medicare those private dollars which will kill jobs in the private sector, because it will be business and industry that will be pushed to pay for those additional costs in the long run.

I caution you as well that the powers that you seek today for yourself, in the hands of future ministers will wreak enormous damage on medicare. I plead with this government to withdraw Bill 50.

1120

**Mr Gary Carr (Oakville South):** I'm pleased to add a few comments. Listening to the member, one of the things that came out is that there is a consensus on one thing, and that's certainly very rare in this House on a number of issues. Having listened to the former Minister of Health in the previous government, I think one of the things that everyone realizes in this House is that there have to be changes. We can debate about where they should be and how they should happen, but I think that for the first time, there is an agreement among all parties that changes have to happen.

I appreciate some of the comments. One of the things I think she said, which we realize now is all true, is that

we can't throw any more money at it. That was the solution of all three parties in the past: "We'll solve health care by throwing more money at it." We threw more money at it and things have gotten worse.

At times, we may not think we're making much progress towards a consensus, but I think we are very slowly. For the first time, we have all three parties saying that our finances are in such bad shape that the health care system cannot be solved with more money. I think we in this Legislature should look for some small agreements when they come. We're going to disagree on where the solution should be and what we should do, but I'm very pleased to see for the first time that everybody is saying we cannot continue going on.

One of the things I think we should do is be honest with the public in this regard. I would like to see us, when the committee dealing with this bill goes out, talk about what the alternatives are, similar to what they did in Oregon, where they were open, they were up front with people, they said: "We can't afford it. You, the public, in conjunction with the medical community and nurses and the legislators, are going to make the decision on what services we will have."

If there is anything I can encourage the minister to do—I'll be speaking next and will hopefully continue on that—it is to be honest with people, tell them where we are at. I honestly believe the public, in conjunction with the legislators, will make the right decision, but they need to know where we are at with Bill 50.

**Mr Gordon Mills (Durham East):** I'd like to make just a few comments in the couple of minutes I have. I've heard a lot of discussion about two-tier medical systems. I've lived in a two-tier medical system. I can remember, before the war, sitting in a doctor's surgery all day with my mother in England waiting for the people who had money to get served first and then going down to the hospital and going through the same procedure.

It wasn't until 1948 and the introduction of the Beveridge report and the national health scheme in England, under the Labour government, that we were treated equally. Unfortunately, over there they are now drifting back to this two-tier medical system, which is an after-runner of Thatcherism and now Majorism. It's a terrible thing.

Unrestricted medical care, to me, is almost heart-wrenching. It is what I stand for and it's what I live for. I'll tell you, I couldn't and I wouldn't stand in my place and support Bill 50 if I thought this government was going to decide who gets what, because that is repulsive. That will not happen. I am confident in the Minister of Health that this won't happen.

We are controlling the costs as we move towards a new era in health care, and I think everybody in the House recognizes that we must control health care if we

are to preserve it. I would hate for my grandchildren to go back to the system that I was under, where—

**Mrs Caplan:** But that is what you are doing.

**Mr Mills:** Mr Speaker, I'm speaking through you to the minister—they would have the indignity of waiting to be served because they didn't have the funds to buy medical care.

**Mr Sean G. Conway (Renfrew North):** My friend the member for St Catharines observes parenthetically that he thought that Nye Bevan went to the private clinics.

**Mr James J. Bradley (St Catharines):** He did.

**Mr Conway:** It cannot be so. I'm sure my labour friend from St Catharines has a confusion of memory.

I want to make a point, because I thought the member for Oriole, in her excellent remarks, raised a number of very timely points. One of the questions that I think has to be addressed, and we're facing it in my own community and I wanted to raise this with the minister today because I really didn't have time in my own remarks the other night, is that as the squeeze is put on, we're seeing in my city of Pembroke, where we have two hospitals—both of which have laboratory capacity within the hospitals and work with a hospitals-in-common lab—a situation which is very upsetting to everyone in the community, the local member included: Because of the constraints that are being applied, and in part to medical incomes, we've got a situation now where a private laboratory has come into our city of Pembroke and is opening up.

There are very few mechanisms, I find now, to regulate the expansion of a service that may not be necessary. The technicians in our hospitals and in our not-for-profit facilities are rightly concerned that, as we squeeze on the one side, we're creating a pressure to, in this case, bring in a private laboratory, Dynacare. They are planning to open up a new specimen collection centre, and more, perhaps. That could have a very real and negative impact on scores of jobs in our hospitals and in the not-for-profit hospitals-in-common lab in the city of Pembroke. Beyond that, there's no mechanism to evaluate whether or not this additional capacity is required.

It would be my view, and I'm no expert, that it is not required; that in fact we should be dedicating all of the resources in support of our public facilities. I'm really concerned, and I wanted to take this opportunity on behalf of the people in the Pembroke area to identify that as a real concern.

**Mr Mammoliti:** I find it really hard to listen to the member for Oriole on a number of different issues that she's mentioned; one of them of course would be the two-tier system. If there's somebody who might be guilty of creating a two-tier system—more specifically for the member for Oriole, to perhaps jog her memory

a little bit to the days when she was the minister, let's talk about the capital funding that occurred back then. Let's talk about, more specifically, the capital funding for hospitals in North York.

How many of those grants, the moneys that were issued from the Liberal government back then, went to hospitals east of Yonge Street? How many promises did the hospitals west of Yonge Street get? How many promises, but no acting whatsoever, no commitments, no actual commitments to money for the hospitals west of Yonge Street? The answer is none, zip, zero; all the promises in the world, but nothing. Remember she came up into our riding, up in Yorkview, and promised the community an expansion for York-Finch Hospital? What happened to that?

Let's talk about the two-tier system that you created. Let's talk about taking money from the poor areas and giving it to the rich areas. Let's talk about what you did as the minister in the Liberal government. The answer is a two-tier system, my friend, the two-tier system that you created and that we're having to suffer from in Yorkview and, frankly, west of Yonge Street to this day.

So don't stand up and talk about a two-tier system and criticize this government for creating it. Don't stand up and say that we are creating it. Look in your own backyard, for a change.

**The Deputy Speaker:** The member for Oriole, you have two minutes.

**Mrs Caplan:** I'm not going to dignify the comments even with a response. He's absolutely nuts.

**Mrs Barbara Sullivan (Halton Centre):** Out to lunch.

**Mrs Caplan:** Out to lunch and then some.

At the beginning of my remarks, I referred to statements that I made in this Legislature in 1991. I imagine some day that I may refer back to the comments I made in the House today. The point I'd like to make is that these should not be partisan issues.

Unfortunately, over the course of time, there has been very little progress made in the area of reform. Back at the time of the Tories, following the strike against Larry Grossman, as I mentioned, the Patterns project was developed and there was good progress, excellent research that was done. Everyone was quite confident that progress was being made, notwithstanding the rhetoric.

That task force was disbanded, and the Scott task force was established and good progress and excellent work was made, although I must admit that as minister at the time, I was frustrated and I referred to that as wheel-spinning. That was replaced by a joint management committee under the NDP and again, after two years and a lot of talk and a lot of excellent work, we have now seen that disbanded and gutted by Bill 50.

### 1130

I despair as to what comes next because Bill 50 gives to the provincial government, not only the provincial government of the NDP but whichever governments follow in the future, the kinds of powers which I personally do not believe are in the interests of the public of Ontario and are certainly not in the interests of health and health care.

Yes, there is a need for reform, but Bill 50 is absolutely the wrong approach, and I would urge the government, before it is too late, to withdraw Bill 50.

**Mr Carr:** I'm pleased to enter the debate on this subject, which I think is very important. I must say that, when you look back at the polls going back to the 1980s under the Liberal government and under the previous Conservative government, health care was the one thing in this province that seemed to be working well. If you were to go back and look at the polls in the 1980s, you will see when you ask the open-ended question, "How are we doing in health care, education and the environment?" health care was the one thing that was always rated very high.

I had an opportunity to look at some of the polls of what people are thinking about Ontario, and even during the 1989 period when we had waiting lists for heart surgery, people in this province really believed we had the best health care system in the world, and I must say that is now changing.

I'm going to try not to be too partisan in my comments. I hope the other side will not take it, but I'm going to try and lay out the reality. I'm not going to blame any government because mistakes have been made in the past by all governments. But I want to just lay out where I think we are and then in the end offer some solutions to what I think we should be doing.

In a nutshell, I think we should be doing like they did in Oregon with this bill, where you go out and you talk to the public in the consultation process, with doctors, nurses, teachers, parents in an honest, true way saying that some of the services are out there and analysing them and saying exactly what we would like to see.

I don't think there's any doubt that this government is going to put a cap on the amount that is being spent, and if we don't talk to the people in an honest fashion, I don't believe we're going to get solutions.

There are now starting to be a lot of meetings in public. They have been started not by the government but by the medical community. I read in Burlington about the meeting that went on in Hamilton. I believe the Chair of Management Board was there. I just read briefly what happened.

I wasn't there, but I guess it turned into a rather nasty fight, and that's unfortunate because I guess the emotions are high around this debate. We see that in the big ads that are in all the papers. I know some of the

members are taking a look at some of the papers now, and you can't open a Toronto daily without seeing the big OMA ads out there that are talking about "What are you going to do at 3 am if you get sick?"

While I think from one respect they may be helpful in that they're going to heighten the public awareness, I would hope that what we get to, in cooperation with the government, is an honest debate about where we are going in health care.

In my own community we're starting to do that. I know the Halton District Health Council has had some meetings. We are in the process, like a lot of communities are, of taking a look at the hospital services that are out in the region. Halton region has four hospitals. They're taking a look at how they can organize to be more effective. As a matter of fact, the former Minister of Health gave us \$100,000 to do a study in Halton of how the services will be performed.

But I want to read some comments from some of the doctors across the province and what they're feeling. I do this, and I hope the other side will appreciate this, not to be partisan on the issue but just to raise to the minister who is here and the other people who are present what is happening out in the community, because in my short political career, since 1990, which is relatively short I guess, I have never seen so much anger and frustration, with the nurses, with the doctors and people in the medical profession.

I have a copy of an article from the Peterborough Examiner and it talks about some of the local doctors' fears about this bill, and again, I say to the members on the other side, this is what the people honestly, truly believe. It is not to be partisan that they're saying this. They believe this bill is going to affect them and it is going to be a bad piece of legislation.

When I read some of the comments, it's to raise the awareness, not to score political points, because that's not my intention. So I hope the other side will take it. I guess any time an opposition member is negative, a lot of the public would say you're doing that to try and score political points. I am not. But I am going to read some of them.

What they say is—and this is Dr Wynd who said this—"The quality of medical care is going to be under the care of non-medical people." Doctors across the province who are concerned about this aren't saying this because they want to throw this government out or defeat it like some of the members feel, that everybody's out to get them because they're socialists and New Democrats. I think they really want to improve this piece of legislation and they really believe this is what this legislation will do.

When you read the bill, if one is objective, one will see the provisions that are in there are provisions that have never before been in our health care system. They

say, and this is a quote from another doctor, Dr Paul Leger: "Decisions are going to be made by bureaucrats with no medical input. What concerns doctors around Ontario is the vaguely worded clause that appears to let the province make changes to the health system arbitrarily."

That could always happen in terms of funding. If you cut back funding to hospitals and you cut back funding, as has been done in the past, to doctors and capping fees and so on, that has always affected health care. But what they see in this piece of legislation are broad, sweeping powers to make decisions on what services will be out there.

I know my friend the member for Durham East says we are not going to a two-tier health care system. He lived during some of the problems in Britain. But I think if he was to go back and examine what has happened in Britain, we have some of the same problems here in Ontario. We have the same challenges. I would hope that we would be able to, rather than stand up and argue about whether Britain has done a good job, learn some of the lessons from what has happened in other jurisdictions. Their health care system is not unlike ours.

I know when you get political, as we often do, there is going to be some tendency to try to make this a political issue. I think back to the last election in Britain and some of the ads, for those of you who saw them, when they had the young child in the washroom of a school with her ear aching and the caption was that the Conservatives were going to make this happen to everybody in Britain. So the political games that are played over there among political parties in elections, and I'm sure it will be a big issue—

**M. Noble Villeneuve (S-D-G et Grenville-Est) :** On a point of order, Mr Speaker: Monsieur le Président, nous avons l'honneur ce matin de souhaiter la bienvenue à un groupe de parlementaires et de sénateurs de la belle France. Alors, à tous et chacun, nous vous souhaitons la bienvenue à l'Assemblée législative ontarienne et nous espérons que vous allez passer un bon séjour parmi nous.

**Le Vice-Président :** Alors, j'aimerais réitérer les mêmes mots de bienvenue. Nous vous souhaitons un merveilleux séjour parmi nous ici en Ontario et nous espérons vous revoir. Merci.

**Mr Carr:** I too would like to welcome the members from France, who I understand are here dealing with some of the energy matters. It's unfortunate we're dealing with some medical problems here in this bill, but I'm sure you'll get a good chance to hear about what we're doing in Ontario. We welcome our guests.

I guess, as I was just alluding to, taking a look at what is happening in Britain with their health care system is very worthwhile. It's kind of ironic that the

folks are here from France learning a little bit about what is happening, because the same problems we are facing here in Canada have happened in Britain over the last little while.

Whether we go to a two-tier system and whether we have user fees and all the rhetoric that goes on for political parties, I want you to know that the medical community is fearful of this legislation. The medical community and the OMA have had many problems with all parties here.

1140

I wasn't here at the time, and I don't know if the member for Oriole was the minister at the time, but I understand there were doctors down in the legislative dining room during some of the debates—it may have even been when the Conservatives were in power; I think it was during the Liberals—and they were so angry and upset that they went down there and started throwing the rolls around in the legislative dining room, which I think would be something you wouldn't necessarily think many doctors would do. I understand there was a tremendous amount of frustration.

This isn't a new problem we're dealing with. We have major problems in the health care field. We believe we have the best health care system in the world, and while that may be true, we still have problems. We have waiting lists now for surgery. If you're in a position right now where you need a new hip, they tell me the waiting lists are long in Ontario. They tell that me in Windsor, if you need a CAT scan today they give you two options: You wait four months and go to London or you go across to the United States.

These are some of the things that are happening in Ontario that most people don't know about. Most people believe that when the health care system is there, when they need it, they can go and those services will be there. But this is crunch time, my friends, I say to the members in the Legislature. We are at a very critical point in our history in terms of health care. We have numerous problems out there, and if we do not deal with it directly, then I believe we are going to lose what we have today, which is the best health care system.

I say that not to dramatize it or to score political points, because whoever is in government would have to deal with this problem. What I think we should be doing with Bill 50 is going out to the public and saying, honestly, that we do not have enough money in the health care system right now. I think that's obvious, having spent some time in the standing committee on estimates over the last little while.

As the member for Oriole said earlier, it isn't a money problem. There is going to be no more money spent by this government or a Liberal government or a Conservative government in health care. To be political, I guess we would say, if we were in there, that we'd find money and there would be more money. What we

need to do is be honest with people, talk about the situation like they have done in Oregon, and say: "This is the amount we're going to spend on health care in the province of Ontario. How would you like to spend it?"

That's happening right now; that's happening with the discussions with the OMA. They're deciding what services are going to be cut in the province of Ontario today. I don't know if the members opposite believe that or the members of the official opposition will believe that, but that is happening today. Decisions are being made about what services will be cut in the province, and they're not done in public consultation. They're done in the back rooms and all of a sudden we hear about them. The only reason they are not done in public is because the politicians don't have the honesty to go to the public and say: "We can't afford a lot of the health care systems. What are we going to do?"

There are user fees in the system today, in spite of what any politician may tell you. If you need an ambulance today and you get picked up, most people think that's covered. It is not; you will get charged for it. There are user fees in the system.

What I believe we need to do is be honest. The way to do that is to go out in public hearings, say to the public that we have a problem with our finances, rather than doing it through this Bill 50, where the cuts will be made in the back rooms. I believe the reason it is being done that way is that politicians don't have the honesty to tell the public the way it is.

The public may not have been ready for it two years ago, but I think they are now. They realize the fiscal crisis we are in, and the doctors realize it. They will still criticize. I'm not saying the criticism will not be there: The OMA will criticize the process if we do that. I read a couple of the other comments about the doctors fearing that bureaucrats will be treating patients and making the decisions. Ultimately the elected representatives have to make that choice, but right now it is being done between the committees, with no public input except when the cuts are made and the transfer money is cut, and then we go back to the hospitals and say, "Now, what services do you want to cut?" and the public gets all upset because, in the case of Oakville, paediatrics is going to be cut with no public consultation.

Certainly over the next little while these decisions are going to have to be made about what services are going to be available, how we are going to pay for them, who is going to pay for them.

I must say, on a negative note, all the rhetoric around this issue, the political games being played about two-tier health care systems—I don't know whether it comes from the ignorance of some of the members who have spoken, not knowing the issue, or whether they're attempting to be partisan and political with it, but I want to tell you, I've been disappointed in the grasp of

the health care issues of my fellow members of this Legislature in some of the debates that have gone on, not all of them, because I think there have been some good comments made by all three political parties. I would just hope that the government would be honest in terms of where we're going with health care, because this bill—if you'd asked the NDP in 1990 if it would ever introduce a bill like this, there would not have been one of the 75-odd members who got elected who would ever have run on this platform in the last election.

We on this side of the House have always said they're driven by ideology, and they're now confronted with reality, but the ironic thing is for them to stand up and defend this piece of legislation. Quite frankly, there's either one of two things. I say this not trying to be too confrontational to my friend from Durham East, but you either have not read the bill or you're trying to be political in not letting the people know what this bill will do. When I say this to the member, I don't mean to be too confrontational, but you have either not read the bill—and I wish you would, because this is one of the most important pieces of legislation that has come down.

I know that in this Legislature there are many bills that come through, and many debates. If you read no other bills, this is going to affect the health care system, not tomorrow—we aren't going to get the public's criticism tomorrow. This is long term, this bill. As a matter of fact, it'll be long term, long past some of us in this Legislature, depending on who wins next time.

The public should know this piece of legislation. I say to the members opposite that if you read the bill and can support it, then fine, but most of you would have never, ever got elected on this piece of legislation. My friend from Durham East, you have either not read the bill or you're trying to be political in standing up and talking about a two-tier health care system and saying that's what the Liberals would bring in and that's what the Conservatives would bring in. I don't think that rhetoric is going to be helpful to the debate.

There is anger out there. I read a couple of the comments of doctors from the Peterborough Examiner. I've had calls and letters from doctors. I had one negative one. A doctor threw up his hands and said: "I'm just waiting for the whole thing to collapse. I've never been more frustrated in my life." They are offering solutions. I have some of the clippings here of what doctors are proposing. The OMA has come through with some good proposals.

**Mr Perruzza:** Everybody in this place speaks for doctors, lawyers and accountants. Who speaks for working people?

**The Deputy Speaker:** Order.

**Mr Carr:** I've seen day after day where this government has said that it's cut health care costs for the first

time. We all know the Treasurer and the Premier have said: "We've done a terrific job. Look, we're down to 1% now when it had been 10% and it had been 12%." If you put aside the political rhetoric for a moment, during the 1980s, of course, and the late 1970s, as you know, inflation was double-digit. In real terms, as the other side likes to talk about whether the cuts have been that significant or not, I guess that will be arguable and up to debate.

On the one hand, we have had the former Minister of Health—not this minister; the member for Beaches-Woodbine, Frances Lankin—talk about how she had done a terrific job cutting costs in the health care system down to 1% or 2%. We heard the Treasurer saying that. We heard the Premier. If that was working so well and if, on the one hand, you want to stand up and say, "Look at the great job we've done in cutting the health care costs," why, then, all of a sudden do you make this dramatic move to Bill 50?

They tried to take all the credit, as politicians will, for the great job in the cuts. I will say this, not to be in partisan politics: I don't think it was this government or the ministry; I think it was the cooperation that was there and the committees that were looking at it, in conjunction with the OMA. I heard some nasty comments—I don't want to quote the member; he'll have his chance to speak—some negative comments towards doctors. But the OMA, in conjunction with this government, was making some dramatic reductions in the cost of health care; not perfect, but they were making dramatic reductions.

*Interjection.*

**Mr Carr:** The member laughs and goes "Hah." If that's the case, why have I heard, as you all have, and it hasn't just been once, the Treasurer and the former Minister of Health saying, "I've done a great job cutting health care costs"? It was because of the committee work that was done with the OMA that these costs came in. I say to the member, if he doesn't believe that the OMA and the doctors were part of that, then I'm afraid he doesn't know the way it was working.

For political reasons, any government of the day is going to take credit for that. As to the fact that they were successful in cutting some of the costs, I think that is one of the few areas where they can be given some credit, although I don't believe it was driven by their good management. I think it was done because of the committee. The OMA now is saying, "With all the good work that was being done, the \$2 billion that has been cut out, why all of the sudden are you changing and introducing this piece of legislation?"

1150

Make no mistake about it: What this piece of legislation does is allow the minister, the government, any government of the day, to decide what services are out there, what services will be cut, and we say to you in

all honesty that if you're not going to cut services, then why are you bringing this bill in? At least be honest with the people and tell them that this is why this bill is coming in, because some services will have to be cut, that there may have to be some charges with some services.

Otherwise, why are you bringing this piece of legislation in at this time? Why are you bringing it in if that isn't your intention? Why are we wasting valuable time in this Legislature, when we don't have enough time to debate the bills, with all the problems in health care, in education, in the environment, in the economy? If you don't intend to do it, why are you bringing in this piece of legislation, I say to the members opposite?

I suppose—and I guess in this part I am being a little bit partisan and angry—they'll play political games and say: "Well, the Tories are going to bring in the user fees and the two health care systems. We'll let members talk about Britain, how he doesn't want to go back to that system in Britain, and he'll talk about the way it was."

That's what this bill does, I say to the member, and at least be honest with the people of the province if you're going to be an elected member. Come clean with them and tell them what this piece of legislation does, because what that does is give the minister, the government of the day, the power to cut services, medical services, in the province of Ontario. I say to the members opposite, if you have not read the bill, that is exactly what this legislation does.

Now, I'm not as opposed to that part of the provisions of it if in fact this government is going to work in cooperation with the medical community, not only the doctors but the nurses, the health care professionals who are out there, who want to give their input, but they are being shut out and that's why we've got the articles from the doctors that are so frustrating, saying the decisions will be made by the bureaucrats. At the end of the day—and I know they use the term "bureaucrats" in terms of being a negative—it will be the government's decision to decide what services will be available and how much money there is to pay for it. But for goodness' sake, let's have the cooperation and the consultation with the medical community, the nurses, the doctors and the public. That is not being done.

This piece of legislation, in my mind, and the one thing I agree with the doctors—I'm not one who necessarily believes their big ads are going to be too productive. With the government, I don't think they are. But if they can heighten the awareness of what this piece of legislation does, then I think it will be a good thing, because this legislation gives this minister, this government, the power to decide what services will be available.

For the members to stand up and say they don't want to go to a two-tier system, remember the number of times you've had to backtrack in this Legislature, I say

to my friend from Durham East, the biggest example being Sunday shopping. Don't stand up in here and talk about the two-tier system when you've got a piece of legislation which basically, when you look at it, gives the government of the day more power than any other minister has ever had, and the only reason it is being given is so that she can cut back service, he or she—in this case, the minister, she—so she can cut back the services that are available.

That is exactly what this piece of legislation is, and the reason I'm more upset, not about the legislation, is that this government has not been honest with the people, and to hear the backbenchers who don't even know what this legislation does, who have not even taken the time to read the legislation—

**Mr Jim Wiseman (Durham West):** Get real.

**Mr Carr:** —quite frankly, and I don't use this term lightly, Mr Speaker, it is disgusting. They have not read the bill, they have not read the legislation.

**Mr Mills:** How do you know we haven't read it?

**Mr Carr:** Otherwise, they would know exactly what this legislation does and they wouldn't be making the cheap political comments they do on the other side. I refer to the one that was made to the member for Oriole, and I guess she was right in saying, "I won't dignify the comments with answering."

For this government to say the things that this government is saying, the members of the back benches, who are being political on probably one of the most serious pieces of legislation—read the bill. If at the end of the day you can say you support it, that's fine, but read the bill.

The reason your government is bringing this in is so it can take a look at what services, what fees are available. Right now they have not been honest in terms of letting the people know. They haven't been honest about the fees in the nursing homes. They have attempted to get things through. I watched the member for Halton Centre and my critic, the member for Simcoe West, talking about what has happened in that area, and the government of the day has not had the courtesy to tell the public where it is going, what the fees will be. They've kept the people in the nursing homes in the dark, and I say that's wrong.

At the end of the day, if this is what needs to be done, the public will support you, the opposition will be supportive, but don't do it through the back door. That is the worst possible thing that can be done.

That's why I believe that what we should be doing is similar to what they did in Oregon. They had a long period of consultation, public hearings, but they were honest with them and told them where they were going with the piece of legislation.

I must say, in all fairness, in defence of the backbenchers that I don't think the government has told you

where it's going, and that may be more of a pity. I don't think you know where the government is going. I don't think you've asked. I don't think they want to tell you, because you've got so many disgruntled members, other than the ones who are political and will follow this government and Bob Rae right off the gangplank and right in.

Some of you, if you knew where they were heading, might speak up and have some criticism, but you have not, and I say to the members who have not taken a look at this legislation that it is your responsibility, not only the opposition's, to look at bills like this and ask the tough questions of where the government is going. That's what you were elected for. If at the end of the day it needs to be done because of fiscal responsibility or because there is no more money, then that is one thing, but for you to sit here and not question this government on where it is going with this piece of legislation is wrong. I say to most of the backbenchers who are here every day that they should read this legislation and ask the tough questions.

I guess this is being a little partisan, but I don't even think this Minister of Health knows where she's going. I believe it is being driven by the fiscal necessities of the Minister of Finance and the Premier. I don't think she has any long-term goal and objective for the health care system. If she did, she, believe it or not, would get some support from the medical community, from the nurses, from both opposition parties, if she knew very clearly where she was heading.

We have these ad hoc cuts being made, bills coming in that are very serious, at the last minute, because I do not believe this government has any long-term plan. If I have any criticism of this government, that's what it is. They are not being honest. They don't know where they are going. They are playing political games with this. We have members standing up who are trying to be political and talk about other jurisdictions and two health care systems instead of having honest debate about this bill and what it means.

When you look at this piece of legislation and what we've talked about doing, I will say as somebody without a background in health care—and I know our member for Simcoe West, who has worked for the federal government in health care, has offered many suggestions—I must admit that I'm no authority on health care. I have some theories and thoughts that may be helpful. Most of them are not my theories and thoughts about where we should be going. A lot of it comes from people I talk to: the doctors, the nurses, the district health council, the people who are out there.

I'm not trying to pretend to have all the answers, but what I'm saying to this government is that it has not laid any of the facts out clearly for the people of this province. They are attempting to do it because they are trying to hide the facts of what they are prepared to do.

This whole bill has got lost in the social contract. As we all know, that has been the topic of the day over the last two months in this Legislature. When people realize what this is going to do to health care in the province of Ontario, it potentially is going to be the worst—and I say "potentially," depending on how it's handled by this government—piece of legislation for health care that this Legislature has ever dealt with. I'm saying that not to be dramatic and at the end of the day; I am saying that we are there to help with this piece of legislation in spite of the fact the other members don't believe that.

This piece of legislation has the potential to do more harm to the health care system in Ontario than any other piece of legislation and we have backbenchers who didn't even have the courtesy to know or understand it.

**Mr Mills:** How do you know that?

**Mr Carr:** Because I heard your comments. That's how I know. For you to stand up in this Legislature and talk about what they do in Britain, that's exactly what this piece of legislation does, I say to my friend for Durham East. That's what this legislation does. If you have read it, that's what the medical community, the doctors and the nurses are saying.

I know the members opposite are continually upset about what doctors are saying, the comments coming across about doctors. I didn't just include doctors. I said health care. I include the technicians, all the people in the health care system. Everybody who works at hospitals needs to be a part of it. But the backbenchers don't even have the courtesy to understand and learn what the legislation is, and they don't even have the strength to stand up to this Minister of Health and say, "What are you doing with this piece of legislation?"

At the end of the day, people are going to be very seriously questioning this government's commitment, and particularly the backbenchers who are not doing their job and learning what this piece of legislation is, debating it honestly and telling the people what is in there. They stand up here, they parrot the political comments that are given to them by people who are writing the speeches, and I don't think that's fair to the members. You are elected to do a job in here. You should be open. You should be honest with the people.

This piece of legislation, I understand, is being lost with what's happened in all the other areas of health care, education, the environment, all the problems that are out there. I say to the people out there in the province, take a look at this piece of legislation, because this has the potential to do more harm to the best health care system in the world than any other piece of legislation that is coming down the pike in this Legislature.

To the backbenchers who have sat here, I can see in some of the bills where you don't. This legislation is too important. Read the material.

The House recessed at 1201.

## AFTERNOON SITTING

The House resumed at 1331.

## MEMBERS' STATEMENTS

## FOREST INDUSTRY

**Mr Frank Miclash (Kenora):** I want to direct my comments today to the Minister of Natural Resources.

Along with my leader, Lyn McLeod, and my colleagues in the Liberal caucus, I was encouraged by the announcement made by the Minister of Natural Resources last Friday which heeded our advice, and also advice given to him by northern communities and the forest industry itself. That was to repeal the hasty policy announced in this year's budget which increased stumpage fees for the non-integrated forest industry sector by some 100%.

While the delay in increasing stumpage fees to October 1 is encouraging for some within the industry, many independent loggers in my part of the province will derive very little benefit and indeed are still faced with the cold reality of going out of business, yet instead of offering alternatives that would assist these hardworking individuals to continue operating and providing economic spinoffs for the communities in which they work, the minister has simply said, "Tough luck."

We are concerned with the way this government has treated these individuals and the forest industry sector as a whole throughout the course of the last few months. It is clear that they did not consult with the industry beforehand and have now acted, in an incomplete way, only in response to the great outcry that resulted.

It is time the minister and this government realized that the forestry industry is a critical component of the economy in northern Ontario and throughout the entire province.

## YOUNG OFFENDERS

**Mr Allan K. McLean (Simcoe East):** Respect for the law in general continues to erode, and it's really not surprising to see violence and crime increasing among youth.

I find it understandable that much public anger has been directed at the federal government for its Young Offenders Act. The YOA is supposed to rehabilitate youth by recognizing their actions as those of an immature young individual rather than those of a mature adult criminal, but a growing number of people argue that because it is overly lenient and hopelessly flawed, it only encourages young people to commit serious crimes like armed robbery, theft and murder under the direction of an adult criminal.

Others are directing their anger at our school system for failing to crack down on student violence and crime or for not providing stronger moral instruction.

I suggest that a major overhaul of the Young Offenders Act is long overdue. Perhaps the age limit should be lowered. Maybe there should be no difference between the treatment of adults and young criminals who commit serious crimes. Possibly it should be easier to transfer serious young criminal cases to adult court.

I believe any reform must be backed by parental responsibility in order to prevent crime among youth. Parents and other authority figures must take more of a leading role in providing moral guidance to our young people.

## RACIAL HARMONY

**Mr Mike Cooper (Kitchener-Wilmot):** I wish to inform the members of the Legislature of a resolution that was passed on Monday, June 21, by the Kitchener city council. It states:

"Whereas Canada and the province of Ontario have policies which promote racial harmony in our communities; and

"Whereas the mayors of the cities of Cambridge, Kitchener, Waterloo and the regional municipality of Waterloo and the townships of North Dumfries, Wellesley, Wilmot and Woolwich have signed a statement of intent declaring their commitment to the prevention of any form of racial, ethnic or religious discrimination or harassment, as defined in federal and provincial human rights legislation; and

"Whereas this community consists of multiracial, multilingual and multifaith peoples learning to live together peacefully; and

"Whereas a number of racist organizations and groups have begun disseminating hatred and recruiting white supremacist members with the objective of destroying the rights and freedoms of groups who have contributed so much and so freely to this country; and

"Whereas we do not wish history to repeat itself,

"Therefore be it resolved that the council of the city of Kitchener hereby:

"(a) Condemns in the strongest terms the actions of the Heritage Front and other racist organizations; and

"(b) Continues to support and develop policies and actions within our municipalities that send out a clear message that racism will not be tolerated in this or any other community within the country; and

"(c) Takes a leadership role in encouraging the Attorney General of Ontario to proceed, where appropriate, with charges against white supremacist groups for the incitement of hatred in accordance with the Criminal Code of Canada."

I ask the members of this Legislature to join me in support and endorsement of this resolution passed by the Kitchener city council.

#### MINISTRY OF HEALTH STAFFING

**Mrs Barbara Sullivan (Halton Centre):** In a time of constraint, when people throughout the public and private sector are tightening their belts, government is expected to do the same: to cut out waste, to cut down its hierarchy, to be more productive with its resources. That's what this government is telling everyone else to do and that's what people expect this government to do.

How ironic, then, to learn that the Minister of Health has increased her staff budget by more than a quarter of a million dollars in this fiscal year. Does the Minister of Health have any new responsibilities? No. Has the scope of the Minister of Health changed? No. Is the Minister of Health providing more service to the people of Ontario? No.

But she does have a new junior minister of Health, who's not allowed to sit at the cabinet table, who's not allowed to participate in decision-making, who makes no apparent contribution to the public policy process. Could that be what is costing the taxpayers of Ontario an additional quarter of a million dollars every year?

Why should the taxpayers be required to pay more from their pockets to line the pockets of the NDP? When everyone else is feeling the chop, the NDP should take the chop. A quarter-of-a-million-dollar increase in spending for the political staff of the Minister of Health is totally unconscionable.

#### FOREST INDUSTRY

**Mr Leo Jordan (Lanark-Renfrew):** The Minister of Natural Resources has declared that he's delaying the increase in stumpage fees because, as he stated in his news release, the fees would have been too high and the forest industry could not afford them. The minister went on to say that the forest industry thought it would be more manageable to face this increase on October 1, 1993, yet the Northern Forest Coalition has told me that this is clearly not the case. They believe the minister's decision to delay the increase was just a political move to divert attention away from the damage he's already done.

The fact remains that the minister has already increased stumpage fees from \$8 to \$15.60 between last fall and this July. This 95% increase has led to the shutdown of many operations. Foresters in Atikokan have told us that they have not cut one single tree since July 1. They have also told us that if the minister raises stumpage fees again in October, it will be a death blow to their industry.

Instead of unilaterally raising the rates to gain more revenue for the government coffers, I ask the minister to consult the foresters and consider a fee structure that is truly reflective of the industry's needs.

CHARLES CLARK

**Mr George Dadamo (Windsor-Sandwich):** The University of Windsor is proud to announce the appoint-

ment of a new chancellor—who will be the university's first local person to take this position, by the way. Mr Charles Clark is a long-time Windsor lawyer and fund-raiser who will take on a massive responsibility during a convocation on October 16. Mr Clark replaces William Somerville, who completes a four-year term. The new chancellor will heighten graduate and post-graduate programs and of course confer degrees on behalf of the province to those completing the requirements.

I'd like to add some background on Charles Clark worth noting. He has served on numerous boards and charitable groups and has been a lawyer for 50 years. He joined the University of Windsor's board of directors in 1966, chairing it from 1971 to 1974. He graduated from Assumption College in 1940 and holds honorary doctorates of law from Assumption and the University of Windsor. Mr Clark graduated from Osgoode Hall Law School and was called to the bar in 1943.

He is also deputy chairman of the university's Investing in Leadership campaign, a campaign raising \$38 million in the next five years which will go towards the Odette business building and the CAW student centre.

Mr Clark certainly has the abilities and expertise to continue his fund-raising endeavours, and the university is delighted to have him on board.

I extend my congratulations and best wishes on behalf of Ron Ianni, president of the University of Windsor, the board of directors, student council and all the student population at the university, as well as the city of Windsor and my Windsor colleagues.

1340

#### FRUIT GROWERS

**Mr James J. Bradley (St Catharines):** "Sour cherry growers face a disastrous year in Niagara, with prices driven so low that the fruit of many orchards may be left to rot.

"Desperate to match prices on American cherries flooding Canada, the Ontario Tender Fruit Producers Marketing Board announced Saturday that it will pay growers only 11 cents a pound for fine cherries, down from 42 cents last year.

"The amount is so low that many farmers will let their cherries rot, because they would lose more money if they paid for harvesting."

This is the lead of a story that appeared in the St Catharines Standard very recently.

Farmers such as Harry Jansen of Pelham, Lee Johnson of Pelham, Ross McCarthy of Pelham and Bob Andres of Niagara-on-the-Lake have all complained about the fact that the cost of producing cherries in this province is greater than the price that can be obtained by selling those cherries.

I call upon the Minister of Agriculture and Food of Ontario to put pressure on the federal Minister of Agriculture to ensure that there is not dumping of sour cherries and other tender fruit on our markets at the very time that our fruit is being produced for people in our area. What is going to happen if we don't have this kind of action is that we're going to see a disappearance of both the farmers and the valuable fruit land, which is located where there is excellent soil and excellent climatic conditions.

#### ANTI-RACISM BILLS

**Mr W. Donald Cousens (Markham):** The T-shirt I am wearing today displays an anti-racism message which says, "We are all one people, with different faces, from different places, but we are all one people. Something to remember." The message was written by Lisa Cherniak and designed by artist Mendelson Joe. Both are part of Artists Against Racism, a two-person team fighting racist activities by the white supremacists.

They are not alone in their battle. Six weeks ago, Charles Harnick, the PC critic for the Attorney General, and I introduced two private members' bills. One bill calls for amendments to the Human Rights Code; the purpose would be to give individuals the right to make a complaint to the Ontario Human Rights Commission about any public statement, any written material and any visual representation that discriminates or expresses hatred against an individual. The second bill establishes the Civil Rights Protection Act, which allows individuals to protect their own civil rights without the prior consent of the Attorney General. The intent of both bills is to put a halt to the growing number of hate crimes against people of African and Caribbean descent, Jewish people, Tamils and our aboriginal peoples.

The time for action is now. It is my hope that these two bills will assist in the battle against racist activities and racist literature. The fight against racism is non-partisan. We are, as this T-shirt says, one people.

When the bills were introduced, we brought them forward in the hope that something would be done. Again I call on the government to look at them seriously, and let's work together to put them into action.

#### CARLOS COSTA

**Mr Stephen Owens (Scarborough Centre):** I rise today to honour Mr Carlos Costa, who many of us have been reading about over these past few days. Mr Costa, of course, is the business and marketing student at Humber College who last Friday completed a successful 32-hour-plus swim across Lake Ontario despite high waves and winds pushing against him.

It is ironic that this amazing swimmer is called, technically, an athlete with a disability. His awesome ability is matched by his determination and his generous spirit. He swam to raise money for the place where he has been swimming over the past number of years,

Variety Village, which is in the fine riding of Scarborough Centre. Our government, through the Ministry of Culture, Tourism and Recreation, is proud to have supported Variety Village in its efforts to help people with disabilities enjoy sports, fitness and recreation.

By yesterday, Carlos had inspired donations of more than \$40,000. His goal is \$52,000: \$1,000 for every kilometre he swam. I'm sure he'll reach that goal and beyond, thanks to the giving spirit of Ontarians. Sometimes a light from the courage of one person can reach many thousands of people.

On his third attempt to cross the lake, Carlos showed all of us that he had grit to spare. His coach, Vicki Keith, knows something about that herself. She said: "We always knew he was going to make it. Lightning stops you. Freezing water stops you. Waves just slow you down."

I'm delighted that Carlos is here today, along with his parents, Maria and Joe, his brother, Oscar, his swim coordinator, John Munro, and his coach, Vicki Keith. I invite all honourable members in this House to welcome our fine guests.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### AGRICULTURAL LABOUR LEGISLATION

**Hon Bob Mackenzie (Minister of Labour):** In keeping with our government's progressive agenda for working men and women, I am pleased to announce that later today I will be introducing a bill to establish, for the first time ever, a system of labour relations in the province's agricultural and horticultural sectors.

This is an important and positive step forward for thousands of Ontario farm workers. Agricultural workers have always been excluded from the rights and privileges available to millions of other workers under the Labour Relations Act. Ontario is among the last of the provinces in Canada retaining such exclusion.

The development of these proposals over the last 18 months has been an exercise in consultation and consensus involving the government, the industry and its workers. The prime vehicle for this consensus has been the Task Force on Agricultural Labour Relations. It examined closely the many complex issues posed by the introduction of labour relations into the agricultural sector and delivered valuable recommendations to the government.

The result is a package of proposals that is progressive for workers but also one which reflects the uniqueness of agriculture, the perishable nature of its products and the time-sensitive nature of its operations.

Under the proposals I will introduce later today, agricultural workers will receive the right to organize and bargain collectively, but not to strike. In place of the right to strike, a structured process of negotiation,

mediation and arbitration will be used to settle disputes. This is a recognition by the government of just how vulnerable this sector is to work stoppages of any kind.

The proposals also set out clear principles guiding access to farm property for the purpose of union organizing. Safety and sanitary conditions will be paramount considerations.

It is also our intention to establish a labour-management advisory committee for this sector of the economy. This committee will monitor and advise the government of ongoing and emerging labour relations issues in the industry. It will also coordinate educational and informational efforts in the follow-up period to this legislation.

There are approximately 18,000 year-round employees in agriculture to which these proposals will apply. The bill will also extend the right to organize to about 14,000 seasonal workers as soon as regulations can be developed for these workers. The advisory committee will assist us in this regard.

This bill puts the finishing touches on the government's agenda for reasonable and progressive labour law reform, and it does so in a way that is agreeable to all of the parties. Workers gain rights and benefits they have long been denied, farm owners are protected against work stoppages and there will be virtually no impact on the historical independence and character of the family farm. That's because the bill ensures that the introduction of collective bargaining will not override the rights of family members to work their farms.

Just as important, the agricultural sector will have its own bipartite labour relations committee composed of those who know the industry best: farm owners and farm workers. I am confident that this committee can carry forward the spirit and momentum that made this landmark bill possible.

**1350**

**Mr Steven W. Mahoney (Mississauga West):** Approximately three months ago, when I was asked to take on the Labour critic role, I was approached by Gord Wilson and by the current minister and asked if I would be prepared to support a bill such as the one we're seeing announced here today. That was three months ago.

At that time, I said I'd like to see the document and some details so I could sit down with our two Agriculture critics, so we could then take it to our caucus, so we could discuss it, so we could implement some kind of program to decide whether or not we were prepared to support this.

The Labour minister has come over to me in this place. I have talked to him. I have said I am prepared to be proactive. I have told Mr Wilson that I am prepared to be proactive and to take a look at this. Yet in this place, just yesterday, we had members of the govern-

ment shouting that we never have anything good to say. You don't give us the information, Minister, that we need.

To the Treasurer, at a time when we're looking at record high unemployment, according to the Treasurer's own document, which I have here somewhere—

**Hon Floyd Laughren (Minister of Finance):** So you're against this.

**Mr Mahoney:** He's chirping away and heckling. According to your own document, Treasurer, you say: "During the recession, many workers gave up looking for work. However, renewed employment growth"—whatever that is—"will encourage their return to the labour force. If these discouraged workers were counted as 'unemployed,' Ontario's current unemployment rate would be about 14%." That's on page 45 of your budget statement.

Even the chart shows we're looking at 13% in 1996. That's a great step in the direction of creating jobs and employment in this province by this government, which is just floundering around, introducing labour bill after labour bill—

*Interjection.*

**Mr Mahoney:** I'm sorry, but that's what you're doing—trying to just placate the labour movement instead of trying to deal with the economic future of this province in a positive way.

We don't know what the impacts of this bill will be. The minister tells me that he has a consensus. I asked the deputy minister to provide me with the names and the addresses of all the parties who have agreed to support this bill. What do I get? Nothing.

I don't have an opportunity to go to those people to verify that indeed there is a consensus. If a task force truly has arrived at a consensus, it appears to be a mystery, or, for some reason unknown to me, the Minister of Labour doesn't seem to want to give the opposition critics the tools they need. I don't understand that.

Minister, I've told you I'd work with you on this bill. When I asked you weeks ago to provide me with the document, I said: "What instrument are you going to use? Are you going to make these changes by legislation, by regulation, by order in council? What instrument are you going to use, so that I can sit down with my caucus and my critics and attempt to understand the impact?"

We don't want to be obstructionist if indeed there is a consensus in the agricultural community. I've not been given the tools to do my job, and here we are on the eve of recessing this place, with just a few hours to go, and the minister introduces this document. It's totally, totally unacceptable and unfair.

With regard to the legislation, you will recall that my caucus, led by the former critic, the member for

Mississauga North, fought this government tooth and nail on Bill 40, and one of the biggest concerns about the organization of new unions was: How are they going to be allowed to organize? Will there be a secret ballot? Will the farm workers of this province be free from intimidation and coercion? Will they be free from organized drives from outside unions that simply want to expand their base and their dues, which in some cases help this party increase its revenue, although even most clear-thinking unions are dissociating themselves from the NDP?

If this is truly good legislation, why have you waited until the 12th hour to introduce it, to put it on this table, when I have been asking you and talking with Gord Wilson in an attempt to get this information? This is just unacceptable.

**Mr Noble Villeneuve (S-D-G & East Grenville):** In just a few moments I want to again express the concerns that are out there in the agricultural community.

This is the extension of Bill 40. Make no mistake about it: It's the extension of Bill 40 out into the food-producing chain.

Consumers are always concerned about the cost of food and, of course, who gets blamed? The farmer. The reality is—

**Mr Gordon Mills (Durham East):** What about the farm workers? Do you want them or not?

**The Speaker (Hon David Warner):** Order, the member for Durham East.

**Mr Villeneuve:** The reality is that the value of corn in a box of corn flakes is less than a nickel; it has very little influence on the final cost.

In agriculture, you have to make hay when the sun shines. And whenever you're subject to a contract with labour unions, that has no bearing. You have to harvest the tomatoes when they're ready, and the same with everything else. You're very subject to the whims of the weather, and it's not always that catering to our agricultural community.

What we have now is the policing of the production and processing of food by the Ministry of Labour. I'm very concerned about this, in that these negotiations happen under the Ministry of Labour. The Ministry of Labour will have a police force out there to enforce exactly what the labour unions want. I would certainly have preferred to have seen the Minister of Agriculture and Food and his ministry do some of the monitoring that will have to be done, quite obviously.

Agriculture is seasonal. It's most important that our farmers are not placed under the kinds of regulations that many of our small businesses and major businesses are put under through negotiations.

As to the social contract, Bill 48, we attempted to help the government: We brought in almost 30 amend-

ments, which were totally overlooked. I do hope that in this case the Ontario Federation of Agriculture and the farmers' union, and indeed the Christian Farmers' Federation of Ontario and all other rural organizations, will have the opportunity of having their input so that, if they're going to live under this kind of policing, at least they will have input on some of the rules and regulations that will be applied by the Ministry of Labour.

To the minister: Thank you for bringing it in so that if we have to live with it, we have time to look at it and make suggestions to you. Yes, it was maybe too long coming. I was hoping it was not coming at all, but it's here. We have to live with it. Our party is committed, when elected, to repeal Bill 40, and this is part of Bill 40 and will be repealed.

#### ORAL QUESTIONS SOCIAL CONTRACT

**Mr Sean G. Conway (Renfrew North):** My question today is for the Minister of Finance, and it concerns the social contract. The province was relieved yesterday to observe you and the Premier reverse your government's policy with respect to charitable donations in the health sector. I would like this afternoon to raise a similar concern in the university sector.

I have been told today by representatives of the Council of Ontario Universities that it is the position of your negotiators at the table that all payroll, including payroll supported by charitable endowments that belong to universities, will be affected or impacted by your social contract. Are you aware of this situation?

**Hon Floyd Laughren (Minister of Finance):** If I could respond to the preamble of the member for Renfrew North, to get that out of the way, because he did raise the question of charitable donations to other organizations: It is truly remarkable that when we finally got the member for Renfrew North to understand what we've been saying all along—he and the headline writers in this province—he says we've reversed our position. What we've done is finally got him to understand what we've been saying all along. There's been no reversal of any position.

**Mrs Barbara Sullivan (Halton Centre):** That is wrong, wrong, wrong, Floyd.

**The Speaker (Hon David Warner):** Order. The member for Halton Centre is out of order.

**Hon Mr Laughren:** I suppose every time now that we manage to convince the official opposition or the third party that we are being consistent with what we said all along, suddenly, when they start to understand it and the light dawns, it's a reversal. I don't know how you deal with that kind of logic in this assembly. But anyway, I would simply say to the member of the official opposition that discussions are ongoing with the universities.

1400

**Mr Conway:** At 5:29 pm yesterday, just two hours after the Premier and the Minister of Finance made their declarations of policy and their retreat in this House, an assistant deputy minister in Management Board sent a memo to one of my assistants that says the following: "It is likely that as a result of negotiations being carried out at the local level"—meaning now in the university sector—"salaries of all individuals on a university's payroll earning more than \$30,000 annually would be impacted as a result of the social contract targets."

This means, for example, that a researcher working at an Ontario university who is on the university's payroll, but whose entire funding comes from the Parkinson Foundation or the Medical Research Council of Canada, will be impacted by your social contract. That is clearly indicated in this government memo of 5:29 pm yesterday, and it is certainly the view of the Council of Ontario Universities.

Will the Treasurer and Minister of Finance give the universities of Ontario a clear and unequivocal direction today that their charitable endowments will not be impaired or in any way affected by the social contract?

**Hon Mr Laughren:** Here we go again. The member for Renfrew North is trying to put a bizarre spin on social contracts simply, I guess, because he opposed the legislation and, secondly, didn't think we'd be achieving any of the sectoral agreements which we are indeed achieving. Further, we have already reached agreements with eight of the universities.

**Hon David S. Cooke (Minister of Education and Training):** Eleven.

**Hon Mr Laughren:** Eleven, the Minister of Education and Training tells me. Each of those negotiations is going on at the university level, not at the sectoral level because of the autonomy of the universities. Those agreements are worked out with the universities. Nothing is imposed by this government whatsoever.

Finally, I guess I have to say it again—

**Mr Murray J. Elston (Bruce):** You won't give them access to the job security fund.

**The Speaker:** Order.

**Mr Conway:** A few moments ago, I spoke to a very good public-spirited citizen named Pat Adams at the Council of Ontario Universities. I'm only telling you what Ms Adams told me at noon today. The Council of Ontario Universities is absolutely clear on the basis of this kind of direction from senior officials in the government of Ontario, the ADM at Management Board, as late as 5:29 pm yesterday. Pat Adams told me just a few moments ago that this is exactly the interpretation they have been given and that is their understanding.

My final supplementary is simple and straightforward: Will the Treasurer of Ontario before the day is over pick up the phone and call Pat Adams at the Council of

Ontario Universities at 416-979-2165 and tell Ms Adams and all of the universities in this province that their charitable endowments will in no way be impaired or affected by your social contract?

**Mr James J. Bradley (St Catharines):** That is a good question.

**Hon Mr Laughren:** I'll try and respond if the member for Bruce doesn't shout me down yet again, or the member for St Catharines, who doesn't want an answer either, apparently.

I would simply say that the new Liberal math appears to be that you make a false accusation, we deny it, and that equals a reversal or a flip-flop. That's the new Liberal math. Seeing what I saw between 1985 and 1990 with Liberal math, nothing should surprise me in that regard.

Finally, I want to assure everyone in the province of Ontario that once again a silly allegation has been made and there is no taxing of charitable donations in this province whatsoever.

#### INTERIM WASTE AUTHORITY

**Mr Steven Offer (Mississauga North):** I have a question to the Minister of Environment and Energy. It concerns the waste disposal sites currently being considered by the Interim Waste Authority, created under Bill 143. The minister will be aware of a great deal of public concern around the sites currently identified and the overall process chosen by his government to deal with the issue.

My question is, can you confirm today in this Legislature that the sites which have been publicly identified by the IWA in York region are the only sites which the authority is considering for solid waste disposal?

**Hon Bud Wildman (Minister of Environment and Energy):** No, I can't.

**Mr Offer:** The minister indicates that the publicly identified sites by the IWA may not be the only sites in which—

**Hon Mr Wildman:** No, I said I couldn't confirm that. You asked me if I could. I can't.

**Mr Offer:** Now the minister is denying that. I've been provided with a letter today.

**Mr James J. Bradley (St Catharines):** Is this a letter?

**Mr Offer:** Yes, in a brown envelope. It deals with Superior-Crawford Sand and Gravel Ltd. You will know that the company owns lands adjacent to the Keele Valley landfill in York region. You will know that this site has never been identified by the IWA as a property to be looked upon in its waste disposal process.

Yet this letter contains some very interesting statements. Firstly, it talks about some discussions which have been going on. The letter is from the general manager of the IWA, and it is to a Mr Michael Jeffery

of Fraser and Beatty, the solicitor for Superior-Crawford Sand and Gravel. It speaks about negotiations of June 2, June 21, July 13, the date of the letter. It says, "It is not considered yet to be in the public interest to commit significant financial resources to a detailed examination of the proposed Superior-Crawford site at this time."

**The Speaker (Hon David Warner):** Could the member place a question, please.

**Mr Offer:** The letter says "the suitable approach to coordination can be discussed with you and your client," and is finished by Mr McIntyre saying, "I look forward to discussing this matter further with you."

Mr Minister, it is clear that there are secret negotiations being undertaken between the IWA and representatives of Superior-Crawford.

**The Speaker:** Would the member please place a question.

**Mr Offer:** My question is, will you now stand in your place and give direction to the IWA to say that this is an area which has never been identified, should not be identified and you are giving direction to the IWA to cease all secret negotiations with representatives of Superior-Crawford Sand and Gravel?

**Hon Mr Wildman:** The member knows that I do not give direction to the IWA. It's an independent agency that operates on its own.

**Mrs Barbara Sullivan (Halton Centre):** But you're the sole shareholder.

**The Speaker:** Order. The member for Halton Centre is out of order.

**Hon Mr Wildman:** The member also knows that there's no need for anyone to give direction to stop secret negotiations, because secret negotiations are not taking place. There has been contact by Superior-Crawford to the IWA, and that does not mean anything one way or the other.

**Mr Gregory S. Sorbara (York Centre):** We are not asking the Minister of Environment to interfere in the IWA process. What we are asking the Minister of Environment to do is simply request that the IWA abide by the process that it set up for itself under his bill, Bill 143.

The Superior-Crawford site was closed off for discussion when the IWA did not include it on its long list of sites. The door was closed again to Superior-Crawford Sand and Gravel when Metro Toronto council reversed itself and withdrew a request that the site be reconsidered. What this letter now shows is that, notwithstanding that the door has been closed and locked twice, the IWA is still undertaking negotiations and still entertaining submissions from the principals of Superior-Crawford Sand and Gravel.

What we want the minister to do, and to do today, is simply to direct the IWA to cease those discussions and

assure the people of Maple, of Vaughan, of York region and of all Ontario that this door which has been closed on that site will remain closed for ever. Will you do that?

**1410**

**Hon Mr Wildman:** During the speech by the honourable member, he was himself contradictory. At the beginning, he indicated that he and his colleague were not asking me to direct the IWA to do anything, and now, at the end, he finishes his question by asking me to do exactly that. He knows that would be most inappropriate.

The IWA will consider all information required to make proper decisions with regard to site selection. Those decisions, as the member knows, will be subject to full environmental assessment once the process has been completed. All members of the public and all intervenors will have the opportunity to have their say—

**Mr Sorbara:** They have to follow the law.

**The Speaker:** The member for York Centre, please come to order.

**Hon Mr Wildman:** —and to be able to test whether or not the IWA has indeed carried out its mandate as it should to determine the proper kind of site that can be identified for greater Toronto area waste.

The member cannot be contradictory. He can't have it both ways. He can't stand on both sides of the fence at once.

#### WCB PREMIUMS

**Mr Michael D. Harris (Nipissing):** My question is to the Minister of Labour, who, as all of us, will know how difficult it is today for businesses to survive, let alone to make a buck.

Last December, changes were made to regulations which classify premium assessments at the Workers' Compensation Board. They assessed last year for 1993 every business with an increase of approximately 3% for 1993, and businesses budgeted for that increase. However, that is not now what is happening. Businesses are now being told midyear that they have been assessed at a rate of increase well in excess of the 3%. They've also been told that this increase will now be retroactive back to January 1, 1993.

As the minister supposedly responsible for WCB—I hate to even use the words that way—how do you expect businesses to pay retroactive exorbitant increases in these tough economic times?

**Hon Bob Mackenzie (Minister of Labour):** I will get back to the member on his question on that matter.

**Mr Harris:** That really is not quite good enough. When I said the minister was supposedly responsible, I thought the minister, given the controversy over the last period of time, would know a little bit about what's going on affecting labour and business in this province

and their ability to survive.

A small window-cleaning business just received its new retroactive assessment. The business cleans storefront windows at ground level without using ladders. They have been told that they're going to be assessed at the same rate as skyscraper window-cleaning businesses. That means their rate goes from \$3.95 per \$100 of payroll to \$12.95 per \$100 of payroll. That's an increase of over triple. In discussions with the business today, and it's a small business, they tell us that they may be able to keep on family members; they cannot possibly keep on any paid employees at that increased rate retroactive to January 1.

Increases of this size for WCB premiums are already costing us jobs. With high unemployment in the private sector, with government-imposed costs going up daily, I ask you: Are you aware of this, and how can you allow the WCB to retroactively increase rates—in this case, triple from what they were—when they were promised a 3% increase for 1993?

**Hon Mr Mackenzie:** There have been discussions going on for some time as to the assessments and the rearranging of assessments at the Workers' Compensation Board. We are in the process of that right now.

I'm a little bit surprised that the leader of the third party would even ask me the question, inasmuch as he doesn't think I've got any answers for him anyhow.

**Mr Harris:** Boy, I suppose I should be criticized for thinking that one day you'll actually find out what the hell's going on over at the WCB. If that's the criticism, I'm guilty, because I expect you, as the minister responsible for WCB and on behalf of this government, to find out.

A concrete forming company is facing an increase from \$4.98 per \$100 of payroll to \$11.83, retroactive to January. They've already got signed contracts based upon the lower rate. They now stand to either lose those contracts and forfeit them or go ahead and lose money under the contracts, which means lost jobs again.

We've got this unfunded liability. We're every day finding out new horror stories, such as the multimillion-dollar building with no good reason anybody can give as to why it should proceed. Every day we hear you out talking to workers, going to labour conventions, saying, "We're going to increase the benefits; there's more money to come," and they're sitting there with a \$12-billion unfunded liability, and these ludicrous retroactive increases for small businesses are driving them out of business.

Since you apparently didn't know, would you agree that these increases are ludicrous, that they are not what the businesses were promised with the 3% increase for 1993, and will you put a stop to them before we don't have any businesses left in this province?

**Hon Mr Mackenzie:** The decisions will be made

through the regular negotiation and consultation process by the board at the WCB, and I certainly am not running the Workers' Compensation Board.

#### CASINO GAMBLING

**Mr Ernie L. Eves (Parry Sound):** My question is for the Minister of Consumer and Commercial Relations. On May 10 of this year, I asked you if you had in your possession a copy of a report that the chief of police in the city of Windsor provided to the Windsor Police Services Board. Your answer, and I would not want to misquote you, was: "I don't have that report which he is referring to." Will you now acknowledge that you were mistaken on that occasion?

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** What I said at that time is true. I didn't have the report. I never had the report. It was a report that was commissioned by the Windsor police. It's my understanding that the project team did have that report and reviewed that report. I never did see that report myself.

Furthermore, the ministry at that time requested that the police not make that report public until after the deadline for the request for proposals was over, because one of the requests we made of the proponents is that they would tell us how they would deal with policing and crime problems in Windsor.

Subsequent to that, we have made it clear to the police, now that that deadline is past, that they should feel free to release that report. At this time the police are aware of that, and the chief of police has determined that he cannot release it until his police services board tells him to do so.

**Mr Eves:** I believe somewhere in there was an answer that indicated that the minister still does not acknowledge that her ministry has received a copy of the report. I would like to read from a letter of July 16 from Mr Domenic Alfieri, assistant deputy minister to the Minister of Consumer and Commercial Relations, to the chief of police in the city of Windsor. This is from Mr Alfieri, the ADM, to the chief of police, and it reads in part:

"You faxed me a copy, and upon reading part of it I telephoned you indicating that I had a number of concerns about it and that if you chose to make the report public, I would be put in a position of having to disagree with it in public."

**1420**

It seems quite clear to me that in fact the ministry did have a copy of the report, that the ADM had a copy of the report since January, some seven months ago, has read it, knows what's in it, disagrees with what's in it and has communicated that to the chief of police. Why are you stifling this report and why can't you admit that you had it in the possession of the ministry in January of this year?

**Hon Ms Churley:** Now I see that the member for Parry Sound is saying something somewhat different: He is saying that the ADM had the report.

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Hon Ms Churley:** Mr Speaker, I have never had the report. The assistant deputy minister, yes, had communicated with the police chief on this.

I think the important thing to keep in mind here—and I have a letter here from the police chief that clearly says he received a letter from the ADM telling him that we had absolutely no problem with him releasing that report. I believe the police chief spoke to him directly and told him that this ministry has made it clear to him that he could release the report if he wanted to.

What has happened is that he has a meeting of his board—I believe it is today—and he wants to be able to have a discussion with his board as to whether or not it chooses to release the report. I have no problem with him releasing the report; it's up to him.

**Mr Eves:** It would appear that indeed the ministry did have a copy of the report, even by the minister's own admission now.

*Interjection.*

**Mr Eves:** No, she didn't say that, with all due respect. As a matter of fact, her quote of May 10 says exactly the opposite.

However, assuming that we now all acknowledge that the assistant deputy minister in your ministry had this report some time in January of this year, and assuming that we all know they've communicated back and forth, the chief of police with officials in your ministry—you are the minister, are you not?—why have you not taken it upon yourself to read the report? Don't you want to know what's in the report? Don't you feel that to make an appropriate decision, as the minister who is introducing Bill 8 and a casino into Windsor, that you should take it upon yourself to read that report, see what's in it and act upon it as a minister of the crown?

**Hon Ms Churley:** No, I don't think I should have seen that report. That report was commissioned by the police. They made the choice to do it in the very early stages of the announcement of the casino in Windsor. That was a very preliminary report, practically before any decisions whatsoever were made. There are a lot of reports being written. There are a lot of things happening out there which the ADM and the project team are dealing with.

I will be very interested. If they release the report, I'd like to see it, but my understanding is that they made the decision—and you weren't listening to this—we wanted the proponents of the RFPs, the people who responded to the RFP, to tell us what they would do in response to policing commitments.

*Interjections.*

**The Speaker:** Would the minister take her seat, please.

Has the minister completed her response?

**Hon Ms Churley:** Now that we have all the proposals before us, the ADM has made it perfectly clear to the police chief that it is fine to release the report, that it wouldn't jeopardize in any way the results of the proposals that have come in.

**The Speaker:** Could the minister conclude her response, please.

**Hon Ms Churley:** I believe that the police chief will make that decision today with his board. At that time, once the decision is made, I'm sure you will get the report.

#### INSURANCE TAX

**Mr Steven Offer (Mississauga North):** I have a question to the Minister of Finance. I wish to bring to the minister's attention a matter dealing with the impact of your taxes in your recent budget. Throughout every community in our province is a legion of young boys and girls who deliver pamphlets and brochures to households. They may be affiliated with any one of the newspaper chains, private or otherwise, and they earn maybe upwards of \$50 a month. The young kids walk door to door. They're usually covered by an insurance premium, and that insurance premium protects them against things like dog bites. This month, many community newspapers had to inform their carriers, these 11- and 12- and 13-year-old kids, of your budget. The question is: Why?

I have one of these notifications. It talks about three things: first, carrier day at Wild Water Kingdom; secondly, a summer-long subscription contest; but thirdly it says: "Effective July 6, the Ontario government has legislated an 8% retail sales tax on your insurance premiums. The tax will be deducted off your pay and submitted to the government." The last line says, "Make sure you explain this to your parents, and please call if you have any questions."

Mr Minister, how can you justify this tax on these young kids trying to earn some money this summer? What justification do you have for sticking your hands into the pockets of 12-year-olds?

**Hon Floyd Laughren (Minister of Finance):** I think it's a good thing the House is adjourning today. The questions coming from the opposition are getting sillier and sillier and sillier. The fact is that there's no tax on children. The fact is that there's a tax on premiums for companies who buy insurance. It's plain and simple.

The member opposite and the rest of the Liberal caucus don't believe there should be any tax increases, don't believe there should be any expenditure reductions and don't believe the deficit should be as high as it is

either. So here we go again: No more tax increases, but keep the deficit down and don't reduce your expenditures. Just another line from the Liberals that means absolutely nothing at all.

**Mr Offer:** The Minister of Finance can say whatever he wishes, but it is his tax on those premiums, and they're affecting those kids walking door to door delivering brochures. This is not made up. These are notices that have to go to every kid, 11, 12 and 13 years old.

I want to hear how—and I ask this question again—you can justify sticking your hands in the pockets of 12-year-olds trying to earn maybe \$50 a month, because what your tax is doing is taking money out of their pockets. That's what your tax says, that's what your budget said, and that's what I want you to try to justify to all those kids out on those streets this afternoon.

1430

**Hon Mr Laughren:** Like the member opposite, I'm somewhat surprised that these employers would indeed take money out of the pockets of children. I don't think that some of the larger corporations in this province which own community newspapers—and I could name names, my friend; they're better friends of yours than they are of mine. But I can tell you that I am very surprised to hear that these employers would reach into the pockets of children and take money out of those pockets. I really hope that's an exception, because I don't believe that most employers in the province would resort to that kind of tactic.

#### HEALTH CARDS

**Mr Jim Wilson (Simcoe West):** My question is to the Minister of Health. In my question to you on Monday of this week, I raised the possibility that American residents of the Akwesasne reserve could be defrauding Ontario's health card system. Subsequently, Health ministry officials from the province of Quebec have told me that at least 200 residents of the reserve who are American citizens could be receiving medical benefits in Ontario for which they are not eligible. Minister, what are the actual numbers of Akwesasne residents who have Ontario health cards who shouldn't have them?

**Hon Ruth Grier (Minister of Health):** I don't have those numbers available to me at the moment. I will certainly endeavour to get them and transmit them to the member as quickly as I can.

**Mr Jim Wilson:** On Monday, the minister admitted that she had launched an investigation to examine exactly how many Akwesasne residents are eligible for health care benefits in Ontario. I got the distinct impression from her answer that this investigation had been launched some time ago and that she should have results by now. I look forward to finding out the exact

numbers of people who have cards who shouldn't. However, Minister, in your response to me on Monday, you were reluctant to share any details about the nature of this supposed investigation.

Health ministry officials in Quebec are meeting with the reserve's chief on August 4. They are insisting that Akwesasne residents show proof that they are indeed citizens of Quebec. The Quebec government has been investigating this problem for months and is taking actions to correct it. Minister, are you prepared to also meet with the reserve chief and ask the natives of Akwesasne to show proof of residency? Are you prepared to take appropriate action if you find that Ontario health cards have been used in a fraudulent manner?

**Hon Mrs Grier:** I have explained to the House in the past that I share the concern that I know is felt on all sides and by the public at any misuse of the Ontario health card and that we in fact are endeavouring to find ways of making that health card more secure and a better health card.

We have in place for the first time a registration division of OHIP that is examining every accusation and every suspicion that the health card might be used improperly. As I said to the member on Monday, we will certainly look into this. We have in place an agreement with the province of Quebec whereby information is shared. That will happen.

But I'd like to take the opportunity to say to the House that the member has on a number of occasions raised accusations. When I or officials have endeavoured to find out from the member what in fact that accusation was based on, who the complainant was, what the address was to which perhaps a number of cards had been sent, what we have found is that there is a rumour somewhere which the member has put on the record and which makes it impossible for the branch to check without accurate information.

**Mr Jim Wilson:** On a point of privilege, Mr Speaker: The minister's response is simply untrue. I have provided—

**The Speaker (Hon David Warner):** Would the member for Simcoe West take his seat. Aside from the vocabulary, there is simply a difference of opinion, I realize, but there is not a point of privilege. We do, however, have a new question.

#### JOB ONTARIO COMMUNITY ACTION

**Ms Margaret H. Harrington (Niagara Falls):** My question is for the Minister of Economic Development and Trade. Over the past few months you have announced a new program, which is Jobs Ontario Community Action. There has been much excitement and many questions involving this program.

In the past, there have been many different programs which have funded projects in a community. There are

people in Niagara Falls who are proposing an upgrading of our streetscape and sidewalks in our tourism area. What they want to know very clearly is, how does this new process differ from past processes? How does the community actually get involved in the planning of these projects?

**Hon Frances Lankin (Minister of Economic Development and Trade):** The program Jobs Ontario Community Action takes a lot of existing money—and I've said a number of times that this is not new money; this is money that existed in a lot of different grants programs in different ministries—and brings it together into one program in a one-window, single approach, a much more flexible approach that is able to meet communities' priorities instead of communities having to meet government's priorities.

In the past, local communities would have to chase grant applications from one ministry to another to another. Now, they can approach any one of the six ministries involved: Municipal Affairs; Agriculture and Food; Culture, Tourism and Recreation; Northern Development and Mines; Economic Development and Trade; and there's one other, and I'm going to have to try to remember what that is. But there are six ministries. They can approach any one of them and work with it. Communities come together and set up their priorities.

#### *Interjections.*

**Hon Ms Lankin:** I'm hearing some heckling from across the floor about the issue that the member for Lawrence raised yesterday with respect to Lawrence Heights, a community where they've come together and planned to use some planning money to develop a non-profit convenience store. The money from the profits that would be raised there is going into a Lawrence Heights economic development program in which that community will be able to do—

**The Speaker (Hon David Warner):** Would the minister conclude her reply, please.

**Hon Ms Lankin:** —further initiatives to improve the economic situation of their community. It's an exciting new process. It's one that's designed to meet community priorities.

**Ms Harrington:** I think it is very important for every community across this province to know that there are going to be different ways of working together for economic development.

I know you've announced some of the projects already that have been fast-tracked to get the funding. Now, I'm hoping, certainly in my riding, that some more announcements will be coming forward very quickly. But my question is, if these projects are not approved in the next set of announcements, which is expected soon, what happens to these applications? Do they go back into the process and are they reconsidered?

Certainly the people of Niagara Falls want to know this on this particular project.

**Hon Ms Lankin:** The member refers to a commitment we made that a certain amount of the capital dollars for this year would be put aside and fast-tracked through an approval process to deal with a number of the applications that had been pending under old programs. Those were applications that would meet the criteria under the old programs. In fact, some of those announcements have been made and the rest will be made this week and next week. They're all unfolding at this point in time.

A project that was submitted under that which did not receive approval will receive, some time in the next couple of weeks, a response from the ministries involved as to whether or not it is a project that meets the criteria of the ongoing new program and willingness to work with that community to develop the proposal for the new program, or whether it's one that they should go back and work on with their community in a different way to try to see if there's funding available.

So to the member, I would suggest the best way that she can be involved with her community. We've offered to all MPPs to come out and set up meetings, to work with their communities, to explain the new program and to look at specific projects and help them develop to the point where there would be approval or at least an assessment for eligibility. That's the best thing that she can do over the course of the next couple of months with her local community.

#### ONTARIO HYDRO CONTRACT

**Mr Sean G. Conway (Renfrew North):** A new question to the minister responsible for Ontario Hydro: The morning after we understandably voted ourselves a pay cut, a few days away from the fail-safe social contract, August 1, I'd like to ask the Minister of Environment and Energy a question about spending at Ontario Hydro and particularly about spending at Ontario Hydro in the area of energy conservation and demand management.

It's been reported today that earlier this year, Ontario Hydro awarded a contract for three months to an outfit called Canyon Consulting, a contract of three months' duration with a value of \$264,880.10. I repeat, a three-month contract to a group called Canyon Consulting involving seven people working on a non-cash incentive program for energy management with a total value of \$264,880.10.

Is the minister aware of this contract, and can he tell the House and the beleaguered ratepayers and taxpayers of Ontario what they got in this age of restraint and social contracting for this quarter-of-a-million-dollar contract over three months?

**Hon Bud Wildman (Minister of Environment and Energy):** As the member I'm sure was made aware

today of this contract, so was I. I can confirm that it was indeed a contract that was entered into by Ontario Hydro and, as I understand it, with Ontario Hydro going through the major restructuring that it is now and reorienting its energy demand management program, the corporation believed it needed information and assistance in how to reorient its program.

*Interjection.*

1440

**Mr Conway:** I say to my friend the member for Ottawa Centre, who yesterday took a pay cut, who's out advertising and advocating the social contract, this deal is \$90,000 a month for seven people; that's \$12,000 a month per person. This in the same part of Hydro where we've just spent \$1.3 million for the love poll. We spent \$900,000 for Market Vision Research to analyse the love poll, and now we've got \$264,000 being spent on seven people over three months in the name of developing a non-cash incentive program for energy management.

I'm sure the people of Blind River and Algoma are as they are in Renfrew and elsewhere in Ontario: They're mad as hell and they're not going to take this kind of crap any more. Will the minister responsible for energy give the taxpayers of Ontario and the ratepayers of Hydro an assurance that this kind of spending in the name of energy conservation and demand management at the giant utility is going to stop and that these kinds of boondoggles will cease and that he will give an order to the chairman of Hydro that this kind of spending will stop?

**Hon Mr Wildman:** I was attempting to calculate how many of these types of contracts would have been required to make up the \$14 billion that that government spent on Darlington.

I also, though, want to point out two things. First, I don't know the exact details of this contract. I can't confirm the number of people who were involved for the firm that received the contract. But I also want to indicate very clearly that previous programs on demand management were designed not only to give advice to corporations and to residents, owners in the province, on how they can improve energy efficiency and thus cut the amount of electricity being used and cut their electricity bills, but in many cases the programs in Ontario Hydro subsidized the work that then was to be done to do that.

The decision was made in order to be more efficient, in order to not spend as much money, and also to ensure that we have demand management in the province, that we move away from subsidization. The contract was designed to ensure that we no longer subsidize corporations to save money on electricity in this province.

**The Speaker (Hon David Warner):** New question,

the member for Burlington South.

**Mr Conway:** This was a boondoggle. You want to defend this, \$90,000 a month for seven months. You want to defend this as you claw back money from universities and charitable institutions.

*Interjection.*

**The Speaker:** Order. The member for Renfrew North, please come to order, and the member for Nipigon. This is not helpful.

#### PROCEEDS OF CRIME

**Mr Cameron Jackson (Burlington South):** My question is to the Attorney General. On Tuesday of this week, I tabled private member's Bill 85, the Proceeds of Crime Act, which is an act I developed that came out of one of the sections of the Victims' Bill of Rights I've been trying to have passed in this House for the last four years. I think the minister is fairly familiar with it. She would be aware that the bill suggests that moneys paid to criminals for recollections of their heinous crimes, for interviews or for movie rights, would instead be paid to the Criminal Injuries Compensation Board to then give them to the victims themselves.

Earlier this week, Doug and Donna French wrote me a letter in support of this bill. I wish to just briefly quote from it:

"Recently, Karla Homolka was convicted of manslaughter in connection with our daughter's death and the death of Leslie Mahaffy. Her husband, Paul Bernardo Teale, has been charged with several counts including first-degree murder in these same deaths.

"It has become common knowledge that several books are in the process of being written, as well as a movie in the works. There are also TV shows wanting interviews in regard to these murders.

"The fact that people want to profit from someone else's tragedy is disgusting, but the fact that the criminals themselves can profit from crime is an outrage."

Attorney General, as the minister responsible for our justice system in this province, do you agree with the French family that it is an outrage to profit from these crimes?

**Hon Marion Boyd (Attorney General):** As I have told the member on a number of occasions before, I am very interested in his suggestion and the suggestion that's contained in the bill he tabled. It is very similar to a bill that our party, through Jim Renwick, tried to move through this Legislature in the past. I have asked the attorneys in the Attorney General's ministry to look at the implications of the bill that the member tabled and to look at other options that we have, to see what lies within our jurisdiction and to see how that kind of thing can come forward.

I share the member's view that this kind of notion of a criminal profiting from his or her crime is very unpalatable to the general public. I have also indicated

to him that I would do what I could in conjunction with him to see what we can do within our jurisdiction.

**Mr Jackson:** Minister, I had your sympathy and your party's support when I tabled the Victims' Bill of Rights in this House, when the Liberals blocked it. You have been in office now for three years. The constant victimization and the profiteering have gone on.

Several weeks ago when the justice committee was examining this and other issues, Mrs Debbie Mahaffy was present, as she was this morning for a press conference in support of Bill 85. In Hansard, Mrs Mahaffy was reported as saying the following:

"My daughter was murdered, unfortunately, for the entertainment of her killer or killers. I do not think her murder should, nor do I want her murder to entertain or profit anyone else in any way in any country. There is no comfort or privacy in knowing that others can violate our family further without our knowledge or permission. I worry and am concerned for my daughter's friends, for my son. It is just a matter of time before her friends or he will be able to rent a video, read a book or watch a movie made for TV about her murder."

Mrs Mahaffy said very clearly that it is a matter of time before this can happen. Minister, by your own admission, your party has been interested in this issue for many years. When will you assure this House that you can proceed with legislation, not necessarily my bill but your bill? Please, will you bring that forward for these families who are today deeply worried and distressed about the implications of the profiteering from this highly celebrated and heinous crime that occurred in our province?

#### 1450

**Hon Mrs Boyd:** I have indicated to the member that I will do what I can, and as quickly as I can, to see what is available to us within our jurisdiction that would stand up to the number of challenges that I know the member knows would come forward from those who regard their right of publishing material and so on to be violated by that kind of thing.

I am not going to make a commitment that we would necessarily move forward with some particular bill at this point in time. I have said that we will look at what our options are within our jurisdiction and that I share his concern, but I certainly am not in a position at this point in time, any more than the two previous governments were, to move forward on this, given the complexity of the issues and the conflicting rights that exist under this kind of matter. But I will move forward as quickly as I can and will keep him informed of our progress.

#### TRAVEL INDUSTRY COMPENSATION FUND

**Mr George Mammoliti (Yorkview):** My question is directed to the Minister of Consumer and Commercial Relations. Can the minister outline for the House any

mechanisms her ministry has in place to assist individuals who have not received the travel services for which they contracted with their local travel brokers?

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** The main mandate of my ministry is the protection of the consumer in the marketplace, and to this end there is a compensation fund which assists clients who have not received the travel services for which they contracted. This is usually because the travel agency or retailer that they have dealt with goes under, which has happened a fair amount these days.

My ministry requires that the travel industry compensation fund and its administration be fully financed by travel agents and travel wholesalers. They pay about \$3.5 million a year into that, and this is not, let me add, paid for by the taxpayers of the province.

**Mr Mammoliti:** Minister, I don't have to tell you that recently, as early as about a week and a half ago, a Toronto-based travel company by the name of Trendy has gone under. This has resulted, frankly, in approximately 1,000 people being stuck in the country of Italy. Madam Minister, I have spoken to a number of individuals in your ministry, and you know that I'm concerned about the fact that these 1,000 people are still there and that a lot of them are experiencing difficulty, not only financially but in accommodating themselves there as well.

I know that you're aware of the case and I know that you've listened, but those people are still there. What has your ministry done to expedite their departure from Italy back to their home country, and how quickly will these people come back? For these people, it's very important, and I'd like a quick response.

**Hon Ms Churley:** I certainly am aware of the case. The member has brought it up on several occasions.

I'm pleased to tell them that the return to Canada has been arranged for practically all those affected. The ministry officials—there are several full-time staff dedicated to this—have by now contacted, I think, almost 90% of those affected. They will be brought home as comfortably and as conveniently and as soon as possible.

#### HOMOLKA CASE

**Mr Gregory S. Sorbara (York Centre):** I too have a question of the Attorney General, and it relates to the trial and the conclusion of the trial of Karla Homolka. I don't think I need a preamble to remind the minister and the members of the House of the revulsion that all Canadians felt at the brutal murders of both Kristen French and Leslie Mahaffy. I think the remarks of my friend the member for Burlington South have looked after that part of this, at least in that regard.

What I want to know from the Attorney General is to what extent the Attorney General participated in the

negotiations between lawyers for Karla Homolka and crown attorneys within her ministry in the agreement that was reached in respect of the sentence, in the agreement that was reached in respect of the resolution of that trial.

**Hon Marion Boyd (Attorney General):** I did not participate in any way at all.

**Mr Sorbara:** Frankly, I take the Attorney General at her word, but I find that extremely difficult to comprehend and believe.

**Hon Bud Wildman (Minister of Environment and Energy):** It would be improper.

**Mr Sorbara:** My friend the Environment minister suggests it's improper. Far from that, the fact is that it would be improper for the Attorney General to interfere in an ongoing trial, but when officials working in her ministry, under her direction and under the authority of the Attorney General, are participating in negotiation of an agreement respecting sentence, surely the Attorney General, as the person chiefly responsible for the administration of justice in Ontario, would at least have the responsibility and the duty to oversee the negotiations of her officials and to consider whether or not the agreement that her officials were about to enter into was appropriate, at least from her perspective.

Surely it would have been appropriate for the Attorney General to approve of the agreement that her officials, working directly under her, were taking to attorneys for Karla Homolka which ultimately ended up in a resolution.

How can the Attorney General say that she didn't have anything to do and refused to participate in those negotiations and that agreement? I just find it difficult to believe—

**The Speaker (Hon David Warner):** Could the member complete his question, please?

**Mr Sorbara:** —particularly given the reaction of the public to the agreement that was reached.

**Hon Mrs Boyd:** I find myself somewhat speechless at the impression the member is suggesting about how the justice system operates in the province of Ontario. It is an extremely important principle in the justice system that there be no political interference in terms of any case, and the member knows that very well.

The issue that we need to be aware of here is that crown attorneys have the confidence of the ministry and the minister to work within the ethics of their profession to act as officers of the court to act on behalf of the public interest in the decisions they make, as do the other participants in the court process, and it would be most inappropriate, in this case or any other, for an Attorney General to interfere in this kind of matter.

#### TAXATION

**Mr W. Donald Cousens (Markham):** My question is for the Minister of Finance.

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Mr Cousens:** This is it. Once this question's over, we can't get at these rascals for another two months.

You and your government brought in the largest tax grab in the history of Ontario to beat up the downtrodden taxpayer even more. You've taxed and taxed and taxed us into economic ruin. And just when we thought we couldn't be taxed any more, you taxed us again.

It's bad enough that you taxed auto and home insurance, but you also taxed employee benefits. What's most distressing is that your tax on employee benefits makes no mention of premium taxes that also must be paid. Your budget calls for an 8% sales tax to be placed on benefits, in addition to a 2% premium tax. The grand total then is a 10% tax on employee benefits.

I'll just give you, Mr Speaker, because of what we're doing—

**The Speaker:** Could the member place a question, please.

**Mr Cousens:** —just a backgrounder to this. The minister nodded.

Hewitt Associates has said the budget extends the 2% Ontario insurance premium tax to all uninsured benefit plans. The intent stated in the budget documents is to apply the new provisions in a similar fashion to the retail sales tax. For example, the 2% premium tax will apply to uninsured plans but will not apply to disability plans paid from payroll.

**The Speaker:** Could the member please place a question.

**Mr Cousens:** I therefore ask you, Mr Minister of Finance, why was this information that we would be paying a 10% increase in tax on these benefits not accounted for in your budget?

**Hon Floyd Laughren (Minister of Finance):** I appreciate that question by the uptrodden on behalf of the downtrodden. The member for Markham should know that there's an enormous difference between a premium tax and a sales tax. The premium tax was already in place, and if—

**Mr Cousens:** Not for these. You extended it.

**The Speaker:** Order.

#### 1500

**Hon Mr Laughren:** The member for Markham should understand that the sales tax was put on insurance premiums, not simply the ones to which he refers but other insurance premiums too.

There's nothing magical about it. It was not meant to discriminate against any group of workers or any group in society. I am as candid as possible with the member. It was a way in which we could raise revenues in this province so we wouldn't have to cut programs more and wouldn't have to have a higher deficit.

There's nothing mysterious about why government needs tax revenues, and I think the member opposite would be the first one to complain if we let the deficit go any higher. So there's nothing mysterious about it.

**The Speaker:** The time for oral questions has expired.

I have a point of privilege over here, and then I'll hear the other member.

Will the member for Markham please take his seat.

**Mr Cousens:** He didn't answer my question, Mr Speaker. He failed to answer my question.

**The Speaker:** I will ask the member for Markham one more time to please take his seat.

#### VISITORS

**Mr Pat Hayes (Essex-Kent):** Mr Speaker, I'd like to ask the members to join me in welcoming a couple of people over in the west gallery. The newly elected spokesperson for region 3 of the National Farmers Union and Art Macklin, president of the National Farmers Union, are here to join us this afternoon.

**Mr Gregory S. Sorbara (York Centre):** On a brief point of order, Mr Speaker: Given that there has been some talk about adjourning for a summer recess, perhaps today, perhaps next week, and given the economic performance of the Rae government, I wonder if instead of adjourning I might seek unanimous consent for dissolution of Parliament so the Premier can take his record to the people in a general election.

**Hon Floyd Laughren (Deputy Premier):** Mr Speaker, if I can rise on the same point, I would have thought the member for York Centre would have learned what happens to people who go to the people earlier than they should.

**The Speaker:** The member for York Centre indeed raises a point of order. Do we have unanimous consent to dissolve Parliament? No.

#### PETITIONS

##### HEALTH CARE

**Ms Dianne Poole (Eglinton):** I have petitions addressed to the Legislative Assembly of Ontario:

"Whereas proposals made under the government's expenditure control plan and social contract initiatives regarding health care in the province of Ontario will have a devastating impact on access to and the delivery of health care; and

"Whereas these proposals will result in a serious reduction in the provision of quality health care services across the province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario move immediately to withdraw these proposed measures and reaffirm its commitment to rational reform of Ontario's health care system through its obligations under the 1991 Ontario

Medical Association/government framework and economic agreement."

I agree with this petition and have affixed my signature. I would also like to table a second one very similar regarding psychotherapy, since the House is about to adjourn.

#### INSURANCE TAX

**Mr Allan K. McLean (Simcoe East):** I have a petition from the corporation of the township of Flos:

"Whereas the 1993 provincial budget imposed the 8% retail sales tax on premiums paid on group life and health plans effective July 1, 1993; and

"Whereas the imposition of an additional tax in the amount of \$3,300 per annum is an unreasonable burden on municipal employers at a time when the province is dictating compensation reductions through its social contract legislation;

"Therefore, the municipality of the corporation of the township of Flos and many others resolve as follows:

"That the township of Flos strenuously objects to the imposition of the retail sales tax on group life and health plans and that the Minister of Finance, the Premier of Ontario and the local MPP and AMO be so advised."

#### SOCIAL CONTRACT

**Ms Christel Haeck (St Catharines-Brock):** I herewith submit a petition on behalf of a number of constituents not only from my riding but from neighbouring ridings as well. They express a series of concerns regarding Bill 48.

#### MENTAL HEALTH SERVICES

**Mrs Barbara Sullivan (Halton Centre):** I have a petition to the Legislature of Ontario which reads as follows:

"Whereas the Ministry of Health is proposing to reduce the budget of the 10 provincial psychiatric hospitals by \$45 million without first having developed community services for the seriously ill; and

"Whereas we believe that this measure will have tragic results for those individuals who have major illnesses such as schizophrenia, which afflicts one out of 100 people at some time during their lives and places an enormous burden on them and their families if left untreated;

"We, the undersigned, petition the Legislature of Ontario as follows:

"We, the Peterborough chapter of Ontario Friends of Schizophrenics and others who support us, wish to petition the Ontario Legislature not to cut back the funding to those who need care and services in our psychiatric hospitals and in the community."

I have affixed my name to this petition, as well as to a second one with respect to the removal or limitation of psychotherapy from the OHIP list.

## NATIVE HUNTING AND FISHING

**Mr Leo Jordan (Lanark-Renfrew):** "To the Legislative Assembly of Ontario:

"Whereas in 1923, seven Ontario bands signed the Williams Treaty, which guaranteed that native peoples would fish and hunt according to provincial and federal conservation laws, like everyone else; and

"Whereas the bands were paid the 1993 equivalent of \$20 million; and

"Whereas that treaty was upheld by Ontario's highest court last year; and

"Whereas Bob Rae is not enforcing existing laws which prohibit native peoples from hunting and fishing out of season; and

"Whereas this will put at risk an already pressured part of Ontario's natural environment;

"We, the undersigned, adamantly demand that the government honour the principles of fish and wildlife conservation; to respect our native and non-native ancestors and to respect the Williams Treaty."

There are 118 signatures and I affix my own.

## GAMBLING

**Mr Dennis Drainville (Victoria-Haliburton):** I again add these signatures to the many I've brought here against casino gambling.

"To the Legislative Assembly of Ontario:

"Whereas the New Democratic Party government has not consulted the citizens of the province regarding the expansion of gambling; and

"Whereas families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas creditable academic studies have shown that state-operated gambling is nothing more than a regressive tax on the poor; and

"Whereas the New Democratic Party has in the past vociferously opposed the raising of moneys for the state through gambling; and

"Whereas the government has not attempted to address the very serious concerns that have been raised by groups and individuals regarding the potential growth in crime;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government immediately cease all moves to establish gambling casinos and refrain from introducing video lottery terminals in the province of Ontario."

I am very happy to affix my signature to this important petition.

## HUNTING IN PETROGLYPHS PROVINCIAL PARK

**Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings):** I have a petition here signed by over 500 people from the province of Ontario, and it's

addressed to the Legislative Assembly of Ontario.

"We, the undersigned, object to the proposed closing of the Petroglyphs park to bow hunting in 1993 and beyond.

"This closing is due to complaints and concerns voiced by aboriginal groups and other park users.

"We, the undersigned, reserve the right to voice our opinion and keep the park open to bow hunting."

## 1510

## ACCESSORY APARTMENTS

**Mr Robert V. Callahan (Brampton South):** I have a petition here signed by some 400 residents of Brampton, in addition to the many, many hundreds of petitions that I filed earlier. It's a petition to the Legislature of Ontario which goes as follows:

"Whereas the Minister of Housing and the Minister of Municipal Affairs have released draft legislation for apartments in houses, granny flats, to permit accessory dwelling units as-of-right in all residential areas and to permit granny flats;

"We, the undersigned, object to the draft legislation for apartments in houses—granny flats—for the following reasons and petition the Legislature of Ontario as follows:

"(1) That the province examine the implications that the proposed legislation may have on the rights of property owners, landlords and tenants with respect to their expectations of zoning authority and the neighbourhoods in which they live;

"(2) That the province not entertain this proposed legislation removing the right of local government to regulate development without adequate public notification and opportunity to review and comment on the draft legislation;

"(3) That the local municipality be granted the authority to regulate and license or register accessory apartments;

"(4) That the province, in consultation with local and regional authorities, examine methods of compensating the municipality for increased costs of servicing new residential growth," ie, accessory apartments;

"(5) That the right of entry for bylaw enforcement officers to inspect accessory apartments during reasonable hours be incorporated into the legislation;

"(6) That representatives from the Ministry of Housing and the Ministry of Municipal Affairs be requested to conduct a public meeting in Brampton to discuss the draft legislation with the community;"

"(7) That the city of Brampton supports granny flats as a form of housing intensification subject to the assurance that the units will be removed at the end of their intended use."

I have affixed my signature thereto and agree with the petition.

## ABORTION

**Mr Robert W. Runciman (Leeds-Grenville):** I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas the NDP government intends to implement the recommendations of the Task Group of Abortion Service Providers;

"We, the undersigned, protest these recommendations and their implementation because;

(1) These policies are anti-family; and

(2) These policies will use our tax dollars to kill unborn babies; and

(3) These policies will cause essential hospital services to be slashed across the province."

I've affixed my signature.

## HEALTH CARE

**Mr Murray J. Elston (Bruce):** Although I have normally stood to address a petition on Bruce A and its survival to the Legislative Assembly, I wish to introduce on this occasion a petition to the Legislative Assembly of Ontario which reads in part:

"Whereas proposals made under the government's expenditure control plan and social contract initiatives regarding health care in the province of Ontario will have a devastating impact on the access to and the delivery of health care; and

"Whereas these proposals will result in a severe reduction in the provision of quality health care services across the province"—

The undersigned basically ask that the government reassess its position on health care and actually work to bring about a well-rounded and rational reform of the system as opposed to destroying it altogether.

These signatures are from the Paisley, Southampton and Port Elgin area, and I've affixed my name to the petition.

## SOCIAL CONTRACT

**Mr Noble Villeneuve (S-D-G & East Grenville):** I have a petition here signed by a number of people addressed to the Honourable Lieutenant Governor and the Legislative Assembly of Ontario. It's from the people of Ontario and reads as follows:

"We, the undersigned, beg leave to petition the Parliament of Ontario that:

"Firstly, that free and open collective bargaining for public service employees be restored and be returned to its honourable position in Ontario;

"Secondly, that the social contract in its present form be destroyed and that the valuable programs and services in the public sector be maintained for the betterment of all Ontarians; and

"Thirdly, that the government withdraw Bill 48 and, in place of this bill, that the government work

cooperatively with the public service unions to find an equitable solution rather than eliminating valuable public services."

I have signed this petition and I agree with it and present it to the table.

## HEALTH CARE

**Mr Gregory S. Sorbara (York Centre):** It's actually ironic today that I'm presenting this petition on the very day that we are about to give second reading to Bill 50, which will fully implement state medicine in the province of Ontario. This petition speaks to that issue. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas proposals made under the government's expenditure control plan and social contract initiatives regarding health care in the province of Ontario will have a devastating impact on the access to and the delivery of health care; and

"Whereas these proposals will result in a severe reduction of the provision of quality health care services across the province;"—I think that's an important point.

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario move immediately to withdraw these proposals"—that's going to happen—"and reaffirm its commitment to rational reform of Ontario's health care system through its obligations under the 1991 Ontario Medical Association/government framework and economic agreement."

That agreement, of course, has been violated, and this petition asks that its terms be honoured and implemented, but I don't think that's going to happen, given what we're going to vote on today.

I've signed the petition and I submit it on behalf of the hundreds of residents of my riding who have also signed it.

## SOCIAL CONTRACT

**Mr Robert W. Runciman (Leeds-Grenville):** I have another petition addressed to Honourable Lieutenant Governor:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"That free and open collective bargaining for public service employees be restored and be returned to the honourable position in Ontario;

"The social contract in its present form be destroyed and the valuable programs and services in the public sector be maintained for the betterment of all Ontarians; and

"The government withdraw Bill 48, and in place of this bill the government work cooperatively with the public service unions to find an equitable solution rather than eliminating valuable public services."

I have affixed my signature.

## CASINO GAMBLING

**Mr Carman McClelland (Brampton North):** I have a petition from the First Christian Reform Church, 40 parishioners from that church, the First Christian Reform Church in Thunder Bay, and it calls upon the government of Ontario to cease all moves to establish gaming casinos and is signed by some 40-plus signatories. I affix my signature as well.

## HEALTH CARE

**Mr Jim Wilson (Simcoe West):** I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas proposals made under the government's expenditure control plan and social contract initiatives regarding health care in the province of Ontario will have a devastating impact on access to and the delivery of health care; and

"Whereas these proposals will result in a severe reduction in the provision of quality health care services across the province,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government of Ontario move immediately to withdraw these proposed measures and reaffirm its commitment to rational reform of Ontario's health care system through its obligations under the 1991 Ontario Medical Association-government framework and economic agreement."

I have affixed my name to the petition.

## ONTARIO DRUG BENEFIT PROGRAM

**Mr Murray J. Elston (Bruce):** I have a petition, although not quite in the right form. I will attempt to perfect it at a later date. But it really basically needs to be said on behalf of the senior citizens' group from the town of Wingham—signatories, Isabel Garniss and Bert Garniss, whom I've known for a number of years, and Alex Robertson, Dorothy Stevens and others—that the seniors are protesting the work of the New Democratic Party on taking away the rights of access to medication. I want to put the message in front of the House that these people are protesting the way that the Premier is destroying medicare in this province.

## RETAIL STORE HOURS

**Mr Ron Eddy (Brant-Haldimand):** I have a petition addressed to the Legislative Assembly of Ontario:

"We, the undersigned, hereby request you to vote against the passing of Bill 38 because we believe that this bill defies God's laws, violates the principle of religious freedom, reduces the quality of life, removes all legal protection to workers regarding when they must work, and will reduce rather than improve the prosperity of our province.

"The observance of Sunday as a non-working day was not invented by man but dates from God's creation and is an absolute necessity for the wellbeing of all people, both physically and spiritually.

"We beg you to defeat the passing of Bill 38."

I have affixed my signature; signed by 22 constituents.

**The Deputy Speaker (Mr Gilles E. Morin):** I'd like to remind the members that when the House is not in session you may submit your petitions to the Clerk.

## INTRODUCTION OF BILLS

## AGRICULTURAL LABOUR RELATIONS ACT, 1993

LOI DE 1993

SUR LES RELATIONS DE TRAVAIL  
DANS L'AGRICULTURE

On motion by Mr Mackenzie, the following bill was given first reading:

Bill 91, An Act respecting Labour Relations in the Agricultural Industry / Loi concernant les relations de travail dans l'industrie agricole.

**Hon Bob Mackenzie (Minister of Labour):** The only comment I wish to make is that it is a pleasure to bring this bill forward and it's one of the few bills where we have had the amount of consultation we've had and where we have reached a unanimous agreement of the committee that looked at it, both labour and management.

*Report continues in volume B.*



## CONTENTS

Thursday 29 July 1993

SECOND READINGS	ORAL QUESTIONS	PETITIONS	
<b>Expenditure Control Plan Statute</b>			
<b>Law Amendment Act, 1993, Bill 50</b>			
Mr Offer .....	2957	Ms Poole .....	2969
Mr McLean .....	2943	Mr Elston .....	2971
Mrs Mathyssen .....	2942	Mr Sorbara .....	2971
Mr O'Connor .....	2942	Mr Jim Wilson .....	2972
Mr Runciman .....	2942		
Mr Huget .....	2943		
Mrs Caplan .....	2943, 2949		
Mr Carr .....	2947, 2949		
Mr Mills .....	2948		
Mr Conway .....	2948		
Mr Mammoliti .....	2948		
<b>MEMBERS' STATEMENTS</b>			
<b>Forest industry</b>			
Mr McLash .....	2955		
Mr Jordan .....	2956		
<b>Young offenders</b>			
Mr McLean .....	2955		
<b>Racial harmony</b>			
Mr Cooper .....	2955		
<b>Ministry of Health staffing</b>			
Mrs Sullivan .....	2956		
<b>Charles Clark</b>			
Mr Dadamo .....	2956		
<b>Fruit growers</b>			
Mr Bradley .....	2956		
<b>Anti-racism bills</b>			
Mr Cousens .....	2957		
<b>Carlos Costa</b>			
Mr Owens .....	2957		
<b>STATEMENTS BY THE MINISTRY AND RESPONSES</b>			
<b>Agricultural labour legislation</b>			
Mr Mackenzie .....	2957		
Mr Mahoney .....	2958		
Mr Villeneuve .....	2959		
<b>Health care</b>			
Mr Conway .....	2959		
Mr Laughren .....	2959		
<b>Interim Waste Authority</b>			
Mr Offer .....	2960		
Mr Wildman .....	2960, 2961		
Mr Sorbara .....	2961		
<b>WCB premiums</b>			
Mr Harris .....	2961		
Mr Mackenzie .....	2962		
<b>Casino gambling</b>			
Mr Eves .....	2962		
Ms Churley .....	2962		
<b>Insurance tax</b>			
Mr Offer .....	2963		
Mr Laughren .....	2963		
<b>Health cards</b>			
Mr Jim Wilson .....	2964		
Mrs Grier .....	2964		
<b>Jobs Ontario Community Action</b>			
Ms Harrington .....	2964		
Ms Lankin .....	2965		
<b>Ontario Hydro contract</b>			
Mr Conway .....	2965		
Mr Wildman .....	2965		
<b>Proceeds of crime</b>			
Mr Jackson .....	2966		
Mrs Boyd .....	2966		
<b>Travel industry compensation fund</b>			
Mr Mammoliti .....	2967		
Ms Churley .....	2967		
<b>Homolka case</b>			
Mr Sorbara .....	2967		
Mrs Boyd .....	2968		
<b>Taxation</b>			
Mr Cousens .....	2968		
Mr Laughren .....	2968		
<b>Health care</b>			
Ms Poole .....	2969		
Mr Elston .....	2971		
Mr Sorbara .....	2971		
Mr Jim Wilson .....	2972		
<b>Insurance tax</b>			
Mr McLean .....	2969		
<b>Social contract</b>			
Ms Haeck .....	2969		
Mr Villeneuve .....	2971		
Mr Runciman .....	2971		
<b>Mental health services</b>			
Mrs Sullivan .....	2969		
<b>Native hunting and fishing</b>			
Mr Jordan .....	2970		
<b>Gambling</b>			
Mr Drainville .....	2970		
<b>Hunting in Petroglyphs Provincial Park</b>			
Mr Paul R. Johnson .....	2970		
<b>Accessory apartments</b>			
Mr Callahan .....	2970		
<b>Abortion</b>			
Mr Runciman .....	2971		
<b>Casino gambling</b>			
Mr McClelland .....	2972		
<b>Ontario drug benefit program</b>			
Mr Elston .....	2972		
<b>Retail store hours</b>			
Mr Eddy .....	2972		
<b>FIRST READINGS</b>			
<b>Agricultural Labour Relations Act, 1993, Bill 91</b>			
Mr Mackenzie .....	2972		
<b>OTHER BUSINESS</b>			
<b>Visitors</b>			
Mr Hayes .....	2969		

## TABLE DES MATIÈRES

Jeudi 29 juillet 1993

PREMIÈRE LECTURE	
<b>Loi de 1993 sur les relations de travail dans l'agriculture, projet de loi 91</b>	
M. Mackenzie .....	2972

6/24/91  
X  
-023

Common  
Poli...  
...n...  
...n...  
...n...

No. 57B



Nº 57B

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

Third Session, 35th Parliament

**Assemblée législative  
de l'Ontario**

Troisième session, 35<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

Thursday 29 July 1993

**Journal  
des débats  
(Hansard)**

Jeudi 29 juillet 1993

Speaker  
Honourable David Warner

Président  
L'honorable David Warner

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



### **Hansard on your computer**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. Sent as part of the television signal on the Ontario parliamentary channel, they are received by a special decoder and converted into data that your PC can store. Using any DOS-based word processing program, you can retrieve the documents and search, print or save them. By using specific fonts and point sizes, you can replicate the formally printed version. For a brochure describing the service, call 416-325-3942.

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

### **Subscriptions**

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Lists of members**

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month. A list arranged by riding and including ministerial responsibilities appears on subsequent Mondays.

### **Le Journal des débats sur votre ordinateur**

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Ces documents, télédiffusés par la Chaîne parlementaire de l'Ontario, sont captés par un décodeur particulier et convertis en données que votre ordinateur pourra stocker. En vous servant de n'importe quel logiciel de traitement de texte basé sur le système d'exploitation à disque (DOS), vous pourrez récupérer les documents et y faire une recherche de mots, les imprimer ou les sauvegarder. L'utilisation de fontes et points de caractères convenables vous permettra reproduire la version imprimée officielle. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

### **Renseignements sur l'Index**

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

### **Abonnements**

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.

### **Listes des député(e)s**

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et dans le numéro du premier lundi de chaque mois. Par contre, une liste des circonscriptions inscrites dans un ordre alphabétique et comprenant les responsabilités ministrielles paraît tous les lundis suivants.

Thursday 29 July 1993

*Report continued from volume A.*

1520

### ORDERS OF THE DAY

**Hon Brian A. Charlton (Government House Leader):** I believe we have consent to do second and third readings of the private bills, starting with the 94th order.

#### KIRBRYN HOLDINGS INC ACT, 1993

On motion by Mr Conway, on behalf of Mr Sorbara, the following bill was given second reading:

Bill Pr9, An Act to revive Kirbryn Holdings Inc.

The bill was also given third reading on motion.

#### VILLAGE OF MERRICKVILLE ACT, 1993

On motion by Mr Runciman, the following bill was given second reading:

Bill Pr33, An Act respecting the Village of Merrickville.

The bill was also given third reading on motion.

#### HELLENIC ORTHODOX COMMUNITY OF KINGSTON AND DISTRICT ACT, 1993

On motion by Mr Gary Wilson, the following bill was given second reading:

Bill Pr42, An Act to revive Hellenic Orthodox Community of Kingston.

The bill was also given third reading on motion.

#### PARAGON FINANCIAL CORP ACT, 1993

On motion by Mr Conway, on behalf of Mr Grandmaître, the following bill was given second reading:

Bill Pr54, An Act to revive Paragon Financial Corp.

The bill was also given third reading on motion.

#### PHILMANSER INVESTMENTS LTD ACT, 1993

On motion by Mr Conway, on behalf of Mr Grandmaître, the following bill was given second reading:

Bill Pr55, An Act to revive Philmanser Investments Ltd.

The bill was also given third reading on motion.

#### CITY OF TORONTO ACT, 1993

On motion by Mr Charlton, on behalf of Mr Marchese, the following bill was given second reading:

Bill Pr80, An Act respecting the City of Toronto.

The bill was also given third reading on motion.

#### BUDGET STATUTE LAW AMENDMENT ACT, 1993

#### LOI DE 1993 MODIFIANT DES LOIS EN FONCTION DU BUDGET

Mr Sutherland moved third reading of Bill 84, An Act to amend certain Acts to eliminate the Commercial Concentration Tax and reduce certain expenditures as

referred to in the 1993 Budget / Loi modifiant certaines lois afin d'éliminer l'impôt sur les concentrations commerciales et de réduire certaines dépenses comme le prévoit le budget de 1993.

**Mr Kimble Sutherland (Oxford):** Mr Speaker, I think we had a very thorough debate at second reading and the points were brought forward—other than to say that I'm sure everyone will be quite happy with the removal of the commercial concentration tax.

**The Deputy Speaker (Mr Gilles E. Morin):** Any further debate?

**Mr David Johnson (Don Mills):** I'm delighted today to have a little bit of good news, I guess, to finish off this particular session. I must say that I will be supporting Bill 84. I imagine this will be unanimous within this House, and I give the government credit for doing this.

This particular bill was introduced by the Liberal government, actually, in 1989, just four years ago, and it's interesting. I suspect today many of the same members who proudly supported the bill at that particular time, who thought that it was proper to tax businesses, particularly within the GTA, will today stand up and recognize the error of their ways and will rescind the commercial concentration tax, a tax that should never have been introduced in the first instance.

This tax is a tax on large commercial properties, properties of over 200,000 square feet. This tax is a tax on parking facilities within the GTA, the greater Toronto area, which includes Metropolitan Toronto, York, Peel, Durham, Halton, and this tax is a tax on parking garages within the greater Toronto area. It is a tax that raises about \$90 million a year from Metropolitan Toronto, and over \$100 million—I think about \$120 million or \$130 million—when you include the regions around Metropolitan Toronto.

It is a tax that, when it was implemented by the Liberal government in 1989, it was pointed out by the hotel association of Metropolitan Toronto that this was a bad tax, that this would be crippling to the hotel industry in Metropolitan Toronto, and indeed that's precisely what has happened over the intervening years. The hotel industry in Metropolitan Toronto has suffered as a result of this tax. The vacancy rate has gone up. The cost for tourism in Metropolitan Toronto, which was already high in 1989, has gone up even further, and the hotels have suffered. Their vacancy rate has gone up. There have been bankruptcies within the hotel industry and there has been a great loss of jobs.

This is a tax that was fought by the hotel industry, this is a tax that was fought by all the municipalities, this is a tax that was fought by the Ontario Restaurant

Association, a tax that was fought by the Board of Trade of Metropolitan Toronto, a tax that was fought by quite a large coalition of businesses here within Metropolitan Toronto and within the regions around Metropolitan Toronto, yet it was introduced by the Liberal government in 1989 and has caused a great deal of anguish in the intervening years.

1530

I must say it was introduced in the first instance to raise money for transportation purposes, to improve the infrastructure of transportation within the greater Toronto area. The problem is that when the Liberals introduced this bill, they didn't introduce any mechanism to direct the revenues generated by the commercial concentration tax into transportation infrastructure. As a result, all of the money went into general revenues and none of the money went to fulfil the purpose that the tax was intended for in the first instance.

We have no improvement in public transit to speak of. We have no improvement in the road structure in Durham, in Peel, in York, in Metropolitan Toronto, yet we have had this tax raised, a tax that has caused job losses and a tax that has been a great disincentive to business in Metropolitan Toronto. I'm just delighted that this government has taken this step at this time to rescind the tax that was introduced by the Liberal government in 1989.

Now at the same time—and I know I only have a couple of minutes to speak here because we're trying to get finished today—it is a pity that the government has introduced this bill to rescind the commercial concentration tax, which would have sucked out of Metropolitan Toronto about \$90 million a year—and thank heavens it's being rescinded—but at the same time they're doing that, they're requiring the Metropolitan Toronto School Board to raise taxes from the taxpayers of Metropolitan Toronto for school purposes and to turn \$93 million of those taxes that they have raised from the taxpayers of Metropolitan Toronto over to the provincial government to be used for any other purpose.

This has come through the social contract. It's a requirement that's been put on the Metropolitan Toronto School Board, and it's a requirement that it's investigating at the present time. I think, hopefully, that they will resist very strongly, because certainly on the one hand the government is giving and on the other hand the government is taking away. Both taxes are most unfair, both the grab through the commercial concentration tax and the grab from the taxpayers of Metropolitan Toronto through the social contract through the Metropolitan Toronto School Board.

I would hope that since the government is introducing one aspect of fairness, perhaps it might consider the other at the same time and not require the Metropolitan Toronto School Board to turn over that \$93 million.

**Mr Chris Stockwell (Etobicoke West):** I just

wanted to comment briefly on this bill because I think it's a good piece of legislation for the people in the greater Toronto area. It's certainly a regressive, high-handed tax that was implemented by the previous administration on the greater Toronto area. Without a doubt we know full well the economics of the greater Toronto area right now and how it has been hammered to probably a far greater degree than people really understand, particularly outside of Toronto where they that all the money's here and they're all very well off.

Never have we seen vacancies in downtown Toronto commercial buildings like this. It has given rise no doubt to a lot of the complaints about the WCB building its own facility. Why? Because there are so many vacancies in Metropolitan Toronto, particularly in the downtown core. One of the big reasons why this is the case is the commercial concentration tax. It's something that I think was ill-planned and poorly thought out. It has proven to be a weight around the neck of any developer or any landowner in Metropolitan Toronto as far as either developing their property or else finishing a developed property is concerned.

The member from East York, who was the mayor of East York at the time, spoke I remember very clearly in terms that could be very well understood that this was a regressive tax that was going to pound the people in Metropolitan Toronto and the greater Toronto area. I'm pleased it's gone.

But I want to put one caveat on that. The tax is removed, with the tire tax, which generated some \$155 million in revenue to this government. With their increase in sales tax on insurance, home insurance, and their sales tax on life insurance and car insurance, that's going to generate them nearly three quarters of a billion dollars. So it's a very hollow victory for the people of Metropolitan Toronto and Ontario when a government removes \$155 million worth of taxes and discovers three quarters of a billion new dollars that it can extract from the private sector.

**Mr David Johnson:** I thank the member for Etobicoke West. I think his points, as always, are very well made.

I hope we learn from this exercise with the short-lived commercial concentration tax. Four years ago, the tax was brought in by the Liberal government. I remember the next day listening to the then Treasurer, Bob Nixon, attempting to explain the rationale for the commercial concentration tax and how it would work. There were various commentators on the radio posing questions because they couldn't figure out how it would work. Indeed, history over the past four years is indicating that it was a terrible mistake. It was biased against the people of the greater Toronto area. It didn't pass the test of fairness. It didn't serve the purpose it was implemented for in the first instance. It was a total failure.

What it shows is that there is a point beyond which we cannot tax the people of the province of Ontario any more. There is a point beyond which we cannot tax the businesses within this province. There is a point beyond which we cannot tax individual people, and we have come to that point. Indeed, we have passed that point. When you come to that point and when you pass that point and you continue to tax, then problems occur.

What has occurred as a result of the commercial concentration tax is that it, plus other factors, has caused businesses within the greater Toronto area to suffer losses. Some have gone bankrupt. Jobs have been lost. There have been many instances where the economy has gone underground and, as a result, indeed taxes have been lost. Rather than raising more taxes—that's caused a great deal of problems, caused a loss in taxation, and it has been a total flop. Thank heaven, we're finally getting rid of it.

**The Deputy Speaker:** The member for Oxford has moved third reading of Bill 84. Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

1540

EXPENDITURE CONTROL PLAN  
STATUTE LAW AMENDMENT ACT, 1993  
LOI DE 1993 MODIFIANT DES LOIS  
EN CE QUI CONCERNE  
LE PLAN DE CONTRÔLE DES DÉPENSES

Resuming the adjourned debate on the motion for second reading of Bill 50, An Act to implement the Government's expenditure control plan and, in that connection, to amend the Health Insurance Act and the Hospital Labour Disputes Arbitration Act / Loi visant à mettre en oeuvre le Plan de contrôle des dépenses du gouvernement et modifiant la Loi sur l'assurance-santé et la Loi sur l'arbitrage des conflits de travail dans les hôpitaux.

**The Deputy Speaker (Mr Gilles E. Morin):** When we last debated this bill, Mr Carr was on the floor, and we did not finish questions and comments. Mr Carr not being here, we will ask for further debate.

**Mr James J. Bradley (St Catharines):** I'm pleased to be able to join this particular debate on an extremely controversial bill in the medical services community and among those who are consumers of medical services in Ontario.

As I begin my brief remarks this afternoon on the bill, it reminds me of reading, in the summer of 1990, some of the newspaper ads that were appearing in the various newspapers across Ontario, and they were put in there by the Ontario Medical Association. I expect in the next 10 or 15 minutes to be able to indicate some of the concerns they have even today, with the present government, and some concerns that I happen to have.

I first of all want to indicate that there has been expressed widely in the medical services community, among those who actually are the medical practitioners from various fields within medicine, a concern that there has not been the kind of consultation they would like to have seen before this bill was presented to the Legislature and before it was voted upon by the Legislature. If there's one recurring theme in terms of the letters that we're receiving, the telephone calls and the public statements that have been made, it is that the consultation process was not sufficient before this bill was presented to the Legislature.

Essentially, this bill comes before us because the government finds itself in a financial crunch. I cannot believe that if we were in boom economic times an NDP government would be presenting to the Legislature a bill which gives it the powers to cut medical services to people in this province.

The member for Durham East, in some remarks yesterday in response to the member for Oakville, indicated that one of the reasons he was involved in politics was to protect the health care system. Indeed, I join him in that. When people ask us whether we would like to serve at the federal or provincial level—and somehow some people always think the federal level is the senior level of government or the more important level of government—my view has been that the provincial government provides services which are closest to the people of this province. For that reason, I chose to offer myself for nomination and election to the provincial Legislature, because one of the areas of concern that I had was the area of health care services.

I've always believed that we in this province, in this country, have been in a better position than many other countries in the world, particularly the country next door to us, the United States, in terms of delivering health care to the general population. I've always found it unacceptable—and it's one of the reasons, probably, that I'm in the Liberal Party as opposed to a party that may not feel this way. I've always strongly believed that health care should be universal, that health care should be provided to people in our province on a cost basis which is borne by taxpayers at large as opposed to penalizing those who happen to be ill enough to become sick, go into the hospital and require the services of medical practitioners.

For this reason, I have been a promoter and supporter of the kind of health care that we've had in this province. We've quarrelled from time to time in this Legislature among the three parties as to some of the details of the health care system, but there's been general support, I believe, in three different governments over the last 15 or 16 years. We've been generally in agreement that the basic health care system that we have is a good health care system and one which is deserving of protection.

So I become very concerned when I have seen some of the proposals for cutting services to people in this province. Without a doubt, and I think everyone has to recognize this, if we were to simply allow the health care system to grow as it could to provide maximum service to everyone—and when I say “maximum service,” the very best of service to everyone in the province—we would see that it would consume a larger portion of the provincial budget each year.

The last figures I saw indicated that health care represented approximately one third of the expenditure of this province. I found it rather interesting, because I was reading an American magazine which showed—this would be a couple of years ago now—the budgets of all of the states in the United States. What I was able to figure out from that was that I looked at it very carefully and noticed that Ontario at the time had the fourth-largest expenditure in all of North America in terms of its total budget, the first being the United States national government, the second the Canadian national government, the third the state of California, and the fourth-largest expenditure in fact was the province of Ontario.

At an initial look at this, one wonders why this could possibly be. Of course, when you give any consideration at all to the health care budget, you recognize that in the United States not much of the cost of health care comes from tax dollars. A good deal of the cost of health care in the United States comes from either private insurance or from individuals who must pay when they require those services.

It seems to me that people in this province over the years have been supportive of a good health care system. It is easy, I suppose, to say that we should cut back in one area or another, that we should freeze expenditures in one area or another until such time as each one of us, or people close to us or friends of ours, are requiring the services of a hospital, of doctors, of nurses, of various people who deliver health care in the province. At that time, we recognize the importance of maintaining a strong and well-financed system. It is my belief that the people of this province would continue to support that.

I become concerned when I see some of the far-reaching implications of Bill 50. It will in effect allow the government to decide what medical services under OHIP are deemed not to be insured and therefore no longer covered by OHIP; that is, the delisting from the OHIP schedule. I think people in the medical care field could be of some assistance in advising in this particular direction, but here we have the government with that particular power.

The government will now have the power to limit the payment allowed for a particular service, depending on the age, specialty or location of a physician. In other words, there will be differential fees applying as a result of this bill. It will limit the amount paid for a service or

refuse to pay for a service, by deciding how many times a person may receive a medical service in a given period of time, by deciding how many times a physician may perform a particular service and by deciding how many times a health facility such as a walk-in clinic may perform a certain service. In other words, it will be government bureaucrats who will be able to decide what services OHIP will pay for, how often, in what areas of the province, in what health care facility and by whom.

Such powers will limit a patient's right to receive medical care as we know it today, so if we think this bill doesn't have some significant implications for the province, we would certainly be naïve. The government may make such decisions as to control expenditures, limit the number of physicians practising in Ontario and distribute physicians throughout Ontario according to government plans.

We in our party have indicated that we believe the government must work with the health care community before moving on legislation that will dictate how health care is practised in Ontario. It seems to us that medical practitioners, not bureaucrats and not politicians, are and should be the only ones responsible for medical decisions affecting the people of this province. This is what my concern is about this bill.

I also have a concern that we're seeing a movement into user fees. Whether this can flow from this bill or not, one can anticipate that those user fees can.

I've had debates with individuals over the user fees. I recall, during the last provincial election campaign, one particular group in our community that had set itself up as a watchdog for the taxpayer and interviewed the candidates for the election, I guess to decide which candidates it was going to support. One of the people who was on this panel talked about user fees, or, as he referred to them, deterrent fees. This individual was a rich Tory lawyer, and I anticipated that if this person were sick, this person could afford to pay the additional costs.

It has been my view that deterrent fees deter only the poor, not the rich and the privileged. For this reason, governments must examine very carefully their policies when they introduce copayments and other fees. It is not that there aren't circumstances that exist today, for instance, where there are copayments; it is where we will see some new and additional user fees which are designed to deter people from using the system. In my view, that would simply mean one opportunity for the rich and one opportunity for the poor.

The federal government may have some interesting views on this piece of legislation, because under its legislation, if the province tampers too much with OHIP and with user fees and things of that nature, the federal government has the right to restrict or penalize in some way the provinces for those purposes.

I really had hoped that the government would modify this legislation considerably, that it would first of all withdraw the legislation and go back to talk to the various health care providers and consumers in the province before moving forward, but it is clear that the New Democratic Party, which for years fought in this Legislature not for controlling expenditures but for expanding services and expenditures, is now the party that is taking the point of view that there should be a restriction in those expenditures. I can recall no question in my years in government or in opposition that came from the NDP that asked the government to do less in the field of delivery of medical care, yet that's precisely what this bill is requiring today.

**1550**

So I hope, as this bill goes to committee and it has representations made from various people, whether in written or oral form, that the government will listen to some of those recommendations that are made, that the government will modify this legislation and that as a result, we will see a bill eventually that will meet with the general approval of medical practitioners and of consumers and of taxpayers in this province.

**Mrs Elinor Caplan (Oriole):** I'd like to comment on the very excellent remarks of my colleague from St Catharines. His commitment to serving his own constituents, as well as the people of Ontario, is well known, and his remarks, as they referred to the development of medicare and to his personal commitment, I think were a very important part of this debate.

I believe that Bill 50 will be a barrier to further reform, that it will not only lead us down the road to two-tier medicine and the American model, as my colleague mentioned, but it will not do something that I think needs to be done and needs to be done rapidly: This bill will do nothing to ensure that the only thing that is cut from the delivery of health services are those services which are wasteful and unnecessary and inefficient.

We know from all of the evidence and research that has been done—I used to say it was 20%; I agree with the ministers of the day when they say it's as high as 30% that is in total waste within the system—that we could afford for everyone in this province to have appropriate care: If the only thing eliminated were those services which were wasteful and inappropriate and inefficient, then there would be enough money within the system to provide for that kind of appropriate and needed care for the people of Ontario. This bill does nothing to achieve that. It does not ensure in any way that the changes that will take place within the system will only be those that will respond to what people really need.

The concern I have is that the alienation and the ill will that Bill 50 will generate will set back the cause of the kind of partnership relationship that I believe is

necessary to improve our medicare system and make sure that the precious resources are used in a way which will respond to what people really need.

**Hon Ruth Grier (Minister of Health):** I'd like to make some closing remarks if there is no further debate. I will be brief. Let me say that I have found this debate on Bill 50 very interesting, in that there seems to be no disagreement on any side of the House about the need both to reform our health care system to keep it accessible, to make sure that taxpayers can continue to afford it, and, at the same time, to change it.

What disagreement there is between us is whether Bill 50 is an appropriate way of trying to achieve some of those objectives. There are very profound differences as to whether that is the case and, beyond that, how in fact we need to change the system to keep it affordable, accessible, accountable and all of those things.

As members will not be surprised to know, I believe Bill 50 is in fact a tool that enables this government to keep its commitment to protect and preserve our health care system. When the member for Oriole says that what we have to do is find a tool that makes sure everyone gets appropriate care, the services they really need, services that are medically necessary, that's what it's all about. In whose opinion? Who defines that? How do we decide what is in fact appropriate, what is in fact medically necessary, what is in fact too much of a service as opposed to sufficient of a service?

Bill 50 does not mean that the Ministry of Health will decide who gets care, what is appropriate care and what is medically necessary. What Bill 50 will allow us to do is to be much more specific in our regulation-making powers under the Health Insurance Act and to clarify the government's ability to prescribe the total amount payable under the health insurance plan for insured services. In 1993-94, we're committed to spending \$3.6 billion on insured services.

Bill 50 will allow us to pass regulations on matters that may be agreed upon between ourselves and the Ontario Medical Association, and that is our preferred way of coming to some of these definitions and having some of these discussions. Very importantly, it allows us to expand the medical review committees, it allows us to amend the Hospital Labour Disputes Arbitration Act—and I spoke about that in my opening comments—and it allows us to ensure that the provisions of existing agreements are not inconsistent with the provisions of the expenditure control plan.

The Ministry of Health has got to be more than merely a writer of cheques. The reforms that have happened in the last two and a half years—the reform of long-term care, the reform of community mental health, the consultation on drug reform, more equitable access to abortion services, funding for women's centres, my announcement today of a unique centre for the treatment of those with HIV and AIDS, the develop-

ment of pilot comprehensive health organizations and of birthing centres—all of that points to the profound changes that we are making in the health system to make it a system that will truly serve the people of this province, as it has in the past, but even more importantly, into the next century and beyond.

I thank the members for this debate. I can assure them that as we go to committee and talk about the details of this legislation, there will be room for change, and there are discussions ongoing all the time with the various stakeholders about changes in the actual wording. I look forward to continuing those debates at another time.

**Hon Brian A. Charlton (Government House Leader):** Just before we move to the vote on this matter, I believe we have consent among the three parties to, first of all, deem a division because there may not be enough members in the House, and secondly, to limit the bells to five minutes.

**The Deputy Speaker:** Is this agreed? Agreed.

Mrs Grier moves second reading of Bill 50. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1558 to 1603.*

**The Deputy Speaker:** Mrs Grier has moved second reading of Bill 50. All those in favour of the motion will please rise one at a time.

#### Ayes

Abel, Akande, Allen, Bisson, Boyd, Buchanan, Carter, Charlton, Christopherson, Churley, Cooper, Coppen, Dadamo, Duignan, Ferguson, Fletcher, Gigantes, Grier, Haeck, Hampton, Hansen, Harrington, Haslam, Hayes, Hope, Huget, Jamison, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Larkin, Lessard;

Mackenzie, MacKinnon, Malkowski, Mammoliti, Marchese, Martel, Martin, Mathyssen, Mills, Murdock (Sudbury), North, O'Connor, Owens, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Rae, Rizzo, Silipo, Swarbrick, Ward, Waters, Wessenger, White, Wildman, Wilson (Kingston and The Islands), Wilson (Frontenac-Addington), Wiseman, Wood, Ziembra.

**The Deputy Speaker:** All those opposed to the motion will please rise one at a time.

#### Nays

Beer, Bradley, Callahan, Caplan, Carr, Conway, Cordiano, Cousens, Cunningham, Curling, Daigeler, Drainville, Eddy, Eves, Harnick, Jackson, Johnson (Don Mills), Jordan, Kwinter, Mahoney, McClelland, McLean, Miclash, Offer, Phillips (Scarborough-

Agincourt), Poole, Runciman, Ruprecht, Sola, Sorbara, Sterling, Stockwell, Sullivan, Villeneuve, Wilson (Simcoe West), Witmer.

**The Deputy Speaker:** The ayes are 62; the nays are 36. I declare the motion carried.

Shall the bill be ordered for third reading? Committee of the whole?

**Hon Mrs Grier:** Social development.

**The Deputy Speaker:** So ordered.

1610

#### REGULATED HEALTH PROFESSIONS AMENDMENT ACT, 1993

#### LOI DE 1993 MODIFIANT LA LOI SUR LES PROFESSIONS DE LA SANTÉ RÉGLEMENTÉES

Mrs Grier moved second reading of the following bill:

Bill 100, An Act to amend the Regulated Health Professions Act, 1991 / Loi modifiant la Loi de 1991 sur les professions de la santé réglementées.

**Hon Ruth Grier (Minister of Health):** I have moved second reading of Bill 100, the Regulated Health Professions Amendment Act. This is an act respecting measures to deal with sexual abuse of patients by regulated health professionals, a very important debate that I regret is going to occur in a fairly short time period but one that I think is very important and that I am delighted we have an opportunity to have before this House rises before the recess, because at this stage of the debate on legislation, we are talking about the principles of the bill, and I think the principles of this particular piece of legislation are non-partisan.

I don't believe there is anybody who believes that sexual abuse of their patients by health professionals is acceptable or that it must not be stopped. There is in addition a very broad consensus in society at large, and agreement among the professions and the public and especially among the consumers and the survivors, that the time for action on this particular issue is now.

I see the reforms contained in Bill 100 as a very important step in making our province a safer place to be, and a safer place indeed it needs to become. It was a 1991 Canada Health Monitor survey commissioned by the College of Physicians and Surgeons of Ontario that revealed that sexual abuse by physicians towards their patients was far more widespread than I think any of us would have thought possible. An analysis of that survey indicates that almost one in 10 women in Ontario has been a victim of sexual harassment or abuse by a physician at least once in her life, and as many as 400,000 women in Ontario may have been sexually humiliated, demeaned or violated.

Three per cent of the 549 women interviewed in the study said they were violated through sexual activities with a doctor during an examination or a consultation.

This means that about 120,000 women in Ontario have been affected.

These numbers have been reported by the media before, and I do not raise them again in this forum with any intent to point fingers at physicians. I am using these numbers to paint a picture, because these shocking numbers represent the most graphic illustration of why this legislation is before us.

In all probability, we would not have these numbers if the College of Physicians and Surgeons of Ontario had not set out to uncover them. The college has assumed a vital leadership role in determining the breadth of patient abuse by physicians and in seeking solutions to the problem. So I would like at this time to express my thanks to both the Task Force on Sexual Abuse of Patients chaired by Marilou McPhedran and the College of Physicians and Surgeons of Ontario, which commissioned the task force, to thank them for opening our eyes to the problem of sexual abuse by health professionals, because their work has made us all aware of the problem of people with power or authority who take advantage of patients who trust them.

The victims of this breach of trust have spoken out movingly to us at the Ministry of Health. They have conveyed a tremendous sense of urgency. The Ministry has held forums with victims of sexual abuse by health professionals, and I have received a multitude of letters.

These victims of sexual abuse tell us that their reports often are not believed. They tell us that they themselves don't want to believe that their doctors or any other health professional could abuse them during the course of treatment. They tell us that it is not going to be easy going to a new doctor one day, after having been abused by a different one the day before, and they tell us that it is hard to trust these professionals again.

I want to make it very clear that while there are far too many horror stories, I believe that the vast majority of health professionals are providing sound, trustworthy and nurturing care, but the government has an obligation to provide protection against the minority who do not. That is why we were here: to look out for the interest of the victims, to give them effective recourse, to make health professionals—and this bill applies to all of the regulated health professions—aware that if the trust between a patient and a health practitioner is abused, the consequences will be serious.

People seeking health care have the right to expect that the treatment they receive from a health care provider will be proper, not improper, and caring, not damaging.

As we have prepared this legislation, met with the various stakeholders since it was first introduced for first reading, there have been a number of concerns and issues raised with respect to the wording of some of the sections, to the definition and to the mechanisms by

which this abuse will be dealt with.

I was going, in my opening remarks, to go into those and to indicate to the House some of the areas of the bill where we recognize that amendments will have to be made. I have shared that information with my critics in the opposition parties, and in the interest of time I won't dwell on it today.

But I do want to acknowledge the work that has been done by the various professional associations and colleges, as well as the representatives of the consumer-survivors, in meeting to discuss together how in fact this bill can be changed so that it can be improved, so that it can do the job we all want it to do in a way that is workable and practical.

I hope that over the summer those discussions will continue so that when we have the committee hearings into this particular piece of legislation we will have perhaps some consensus or some agreement on some areas where amendments might be made, and I'm very optimistic that we can do that.

In the meantime, we are here today to talk about the principles of the bill, principles which, as I said, I believe are generally accepted. That principle is that the sexual abuse of patients is never acceptable and will not be tolerated. Bill 100 takes us some distance in making sure we achieve that zero tolerance.

**The Deputy Speaker (Mr Gilles E. Morin):** Any questions, any comments? Any further debate?

**Mrs Barbara Sullivan (Halton Centre):** In speaking to Bill 100, I want to trace back a few steps and acknowledge and applaud the route that brought the issue to the Legislature in the first place. That route speaks to how a societal and ethical problem was addressed within one segment of our society, the self-regulating professions, where the implications of the problem were particularly profound and where court decisions and those of a disciplinary body were substantially out of sync.

In 1990, the College of Physicians and Surgeons of Ontario made a public commitment to improve the college's complaints and discipline procedures dealing with sexual improprieties. This decision grew out of the college discipline committee's difficulties with successful prosecutions and actions of the court in reducing penalty decisions made by the discipline committee. But there were other issues as well.

The college understood that not only was recognition of the problem within the profession inadequate, but that action needed to be taken to correct that problem. The college itself needed to do a credible job of dealing with complaints of sexual abuse by members of the profession. Its members needed to understand the dimensions of the problem within its discipline. Education and sensitization needed to be done and members needed to understand the problems created by sexual

abuse from the perspective of those who had suffered that abuse.

In a step which was forward-looking and controversial at the time, the college itself appointed an external task force to document the extent of the problem and to work with those who had been assaulted and their support organizations to make recommendations for a workable action plan. That action plan was to be based on the assertion that for the public and for the profession there would be a clear understanding that sexual abuse of a patient by a physician would not be tolerated.

The task force was to assess what was needed with respect to changes in internal policies and procedures that the college itself could implement, educational initiatives that should be undertaken with medical students and practising physicians, and with the public, and legal changes which might be needed to deal with the problem. Under the chairmanship of Marilou McPhedran, the task force made 60 recommendations to the college following an extensive examination of the issues through public and private hearings and many hours of consultations.

For many of those who participated in the public hearings or in the private sessions, the declaration of their experiences was painful, and to members of the profession much of the information which came forward was a shocking surprise. One key recommendation was that the college change its ways when dealing with a person who complained of sexual abuse; to train and sensitize staff, council members and prosecutors on how to handle disclosure, inquiries and complaints in an appropriate, empathetic and supportive manner; and to stop blaming the person who was making the complaint.

I believe the college has taken steps to put that recommendation into effect and to provide assistance to a complainant who is coming forward, sometimes at great personal cost.

1620

If things are not perfect yet, considerable strides have been made to ensure that a victim is not revictimized in the complaints process. The college then moved to review the recommendations of the task force, integrate those it could into its own internal operations and to make recommendations to the government for revisions to the Regulated Health Professions Act. In the meantime, the Ontario Medical Association was also at work conducting educational forums and introducing the issue into its publications.

Sexual abuse of patients, however, is not just an issue for the medical community but for all the health professions, and the expectations were that the Ministry of Health would adopt the CPSO recommendations as a template for requirements for all health disciplines. It was a surprise, therefore, to the professions that the interministerial report on the matter and subsequently the legislation we are now debating was substantially

different in many respects from the recommendations which had been put forward, and there is enormous concern that the law would as a result be unworkable.

I share that concern and want to underline some of the areas in the current bill that are problematic.

Firstly, the requirement for mandatory reporting of all levels of sexual offence from rude or demeaning remarks or gestures to sexual assault on the same basis by physicians and other health care professionals could itself lead to disrespect for the law and the standards of conduct required by the colleges.

I do not want to be misunderstood. Neither of the extremes of sexual abuse are in any way appropriate, but the initial proposals of the CPSO, which would require an in-discipline reporting when there are reasonable grounds to believe a practitioner has committed an act of sexual transgression or violation, seemed to me to be an approach that would be appreciated and honoured by all members of the profession. Similarly, the penalty provisions proposed by the CPSO were clear and understandable.

The bill as it's before us also requires mandatory reporting on other acts of misconduct, incompetence and incapacity. These issues, which also require a more complete examination, should not in my view be included in this bill, which is designed to be specific to sexual misconduct issues.

The reporting requirements of the bill as we have it now are less than satisfactory in two respects: Firstly, there will be an obligation to report to a college by a health professional who may in fact be treating another health professional for a problem that could have caused the misconduct. Secondly, it's difficult to understand how those who are not regulated by the RHPA would be subject to its provisions. An unregulated practitioner or a facility administrator, by example, would be affected by this bill but not subject to it.

The concept of a survivors' assistance fund to ensure that those who've been abused receive needed treatment is a valuable one. There must be clarification, however, of where OHIP leaves off and the fund begins, of whether there would be per person limits to treatment funding and of how the abuser can be required to shoulder the burden of the costs of therapy that the victim needs.

I know the Minister of Health is prepared to present amendments to the bill, and we welcome those and are prepared to put forward amendments as well. I know we are all looking forward to the public hearings that will, I'm sure, bring forward clarifications of many of the questions we have asked on all sides of the House.

I also want to commend the minister for providing the money for facilitated group discussions which have involved the colleges, the professional associations and the survivors and their support groups. My understand-

ing is that the two sessions which have been held have brought great insight to all the parties with respect to this specific piece of legislation as well as to the broader issues of sexual abuse. I think we will all look forward to the results of that positive dialogue and the possible proposals for amendment which may develop from that particular exercise.

In closing, I again want to acknowledge the leadership role of the self-governing professions in tackling this problem from within, to acknowledge the role of survivors who have had the courage to come forward and speak publicly about their experiences, and to say that there is a recognition that legislation is only one small part of a solution to this problem.

I also want to underline that our party is committed to a bill that is workable for all professions and for all who have been abused. Contrary to an impression that was left by the Minister of Health in estimates committee, we have neither been holding up progress to date nor do we intend to. While the numeric count of incidents of professional misconduct of a sexual nature may be small, even one violation of trust between a patient and a health care provider is one too many.

**Mr Jim Wilson (Simcoe West):** I appreciate the opportunity to speak for a few moments on second reading of Bill 100. As members of the public know, it is the bill that deals with the horrendous issue of sexual abuse by health care professionals.

The Ontario Progressive Conservative Party believes that the Task Force on Sexual Abuse of Patients, which was commissioned by the College of Physicians and Surgeons of Ontario, has identified a grave problem which warrants an immediate response. I want to commend the government and the minister for coming forward with this legislation, and we do look forward to the committee hearings.

When I first became Health critic some two years ago and had the opportunity to meet with Marilou McPhedran and members of the College of Physicians and Surgeons of Ontario's task force, which was chaired by Marilou, and subsequently read the reports put forth and the recommendations by the task force, I frankly was shocked to learn of the extent of this problem in our society. We were finding, for a while there, on a daily basis people coming forward who alleged to have been, and many certainly were, sexually abused by health care professionals. It's a personal admission by me that I was not aware, and I don't think most legislators were aware, of the extent of the problem out there until the task force reported its findings, and prior to that had its hearings.

My party, the Ontario PC Party, believes that legislative measures must be part of that response to this serious problem. The steps taken to remedy the problems identified in the work of the task force must be firm, timely and sensitive to the needs of those

involved. My party has pledged its full commitment to the philosophy of zero tolerance of sexual abuse of patients by doctors and other health professionals.

Since the release of the CPSO's final report on sexual abuse, members of the Ontario PC caucus have supported improvements to both the responsiveness of the college's process and the services for survivors of sexual abuse. Our commitment to the philosophy of zero tolerance is premised on the seven principles established by the CPSO task force, and those seven principles are as follows:

—Sexual abuse of patients is not acceptable, because it inflicts serious harm.

—Sexual abuse of a patient is a violation of trust which can create irreparable harm to a patient, who potentially will distrust health professionals in the future, thus hampering his or her recovery.

—Sexual abuse by health professionals is a blatant abuse of power.

—Tolerance of sexual abuse by health professionals does great damage to the public's perception of health professionals on the whole.

—Zero tolerance is the only philosophy consistent with protection of the public, which is the primary task of self-regulating bodies.

—Zero tolerance also provides a clear standard of acceptable conduct.

—It clarifies where the appropriate boundaries in a physician-patient relationship are and will result in an awareness of the presence of inappropriate sexual attitudes and behaviour.

Those are the seven principles flowing from the CPSO task force.

The Progressive Conservative caucus has demonstrated its commitment to a philosophy of zero tolerance in a number of ways. When the task force chair, Marilou McPhedran, made a presentation before the standing committee on social development during the Regulated Health Professions Act hearings, she outlined several ways that the legislation could be amended to reflect the theme of zero tolerance.

In response to her suggestions, the government brought forward only, in my opinion, window-dressing sexual abuse amendments to the RHPA. The government members of the standing committee on social development—and I was representing my party on that committee—voted against innovative PC amendments designed to help and protect patients from sexual abuse by health professionals.

1630

In developing those amendments some two years ago in dealing with the Regulated Health Professions Act, we worked closely with Marilou McPhedran, and we shared a disappointment at that time that the govern-

ment voted against those amendments.

Former PC Health critic and my colleague the member for Parry Sound, Ernie Eves, introduced a private member's resolution in November 1991 that endorsed many of the task force's key recommendations. The resolution included a penalty range for sexual impropriety, a new definition of "sexual abuse," and support for the establishment of a survivors' compensation fund.

In regard to the definition of sexual abuse, my party supported the recommendation of the task force which suggested that the regulated health professions code and regulations contain a specific definition of sexual abuse that would consist of two levels: sexual impropriety and sexual violation. In accordance with the task force's recommendations, Mr Eves, my colleague from Parry Sound, argued that all colleges should develop penalty ranges for sexual impropriety which would include reprimands, apologies, fines, temporary suspension of certificate of registration with conditions, or any combination thereof.

For those found guilty of sexual violation, Mr Eves argued that any health professional should have their certificate of registration revoked automatically for five years with stringent conditions for reinstatement of that certificate of registration.

The Ontario PC Party firmly supports the CPSO task force's belief that the strictness of these penalties is appropriate. The Ontario PC Party also supported the task force's recommendations for the Ministry of Health and the Treasurer to establish a survivors' compensation fund. This fund would receive all moneys paid as fines for sexual impropriety or sexual violation.

Again, Ernie Eves then introduced a private member's bill on June 17, 1991. The bill incorporated the guidelines for sexual contact between doctors and former patients contained in the recommendations of the CPSO task force. In addition, Mr Eves's bill on behalf of the PC Party made the penalty provision for sexual abuse mandatory, in keeping with other recommendations of the task force's report.

Through these steps, the PC Party has clearly demonstrated in a tangible way in this House, long before this government acted, its commitment to the philosophy of zero tolerance.

However, we do have some concerns with certain proposals in Bill 100, the legislation we're debating this afternoon. One of these concerns stems from the process with which this legislation has been developed. Specifically, regulated health professional organizations, the professional colleges, feel, or certainly felt, that they were not adequately consulted prior to the introduction of this legislation. They, after all, will be the parties which must implement and enforce most of the provisions of Bill 100.

A piece of legislation that sets out unrealistic or unworkable goals will serve no one. It certainly will not serve the victims of sexual abuse, professionals or the public at large. We all agree that the reform we are attempting to achieve is aimed at remedying a serious problem, and for this reason workability must be in the forefront of our considerations of Bill 100 at the committee stage.

We were pleased to hear that there have been several forums held now in which members of the public have been able to meet and openly discuss some of their concerns with respect to Bill 100. I commend the minister for undertaking that initiative. It is my understanding that these sessions have made some progress in airing problems and allowing groups which approach the issue from different perspectives to hear the concerns of others. It seems to me that these are perhaps the type of meetings that should have taken place prior to the drafting of the legislation. None the less, I am hopeful that this type of dialogue can continue in the next stage of the examination of Bill 100.

We are concerned as well with the CPSO predictions that mandatory reporting of all types of sexual abuse could result in a bureaucratic backlog, resulting in the slowed resolution of serious cases of sexual abuse. They're all serious, but the CPSO does make distinctions.

We appreciate the view of organizations such as the College of Physicians and Surgeons of Ontario. Dr Rachel Edney has argued that matters of sexual impropriety would likely be better served through a separate local body, and we will want to explore this option further during committee hearings.

By requiring the professional colleges to deal with matters of sexual impropriety through the same complaints body, the professional colleges fear that their ability to investigate matters involving sexual transgressions and violations and to remove offending physicians will be hampered. A prediction like this of course concerns us and we will be looking to discuss this matter further in the future.

My colleagues and I were pleased to see that the government reconsidered some of its original proposals in Bill 100 and has circulated a list of amendments. For instance, we were glad to see that the government has decided not to require health professionals to report members of other professions suspected of misconduct, incompetence and incapacity. These suggested changes reflect movement on some of the problematic issues with respect to this legislation. However, we do remain concerned that other contentious aspects of the bill remain unchanged.

No doubt, we will have the opportunity to discuss these issues and more at the committee hearings which will be held in the not-too-distant future.

In conclusion, I would like to say that the Ontario PC Party supports the principle of Bill 100 and we certainly will be supporting this legislation at second reading.

I would like also to say that we are very well aware of the serious issues which must be resolved if this legislation is to meet its objectives. I would like to state my commitment as the Ontario PC Health critic, and the commitment of my party, to seeing that those concerns are carefully considered in the upcoming stages of Bill 100's examination.

This is clearly an important piece of legislation that must be handled with due sensitivity and with a clear sense of the principle we are trying to embody in this legislation. I am committed to achieving that end and producing workable legislation that will meet the needs of all Ontarians.

Zero tolerance of sexual abuse is the goal. I and my caucus colleagues have demonstrated since being elected in 1990, and even prior, through legislative initiatives through this House, our commitment to the goal of zero tolerance. We remain committed to that goal and we will continue to work hard to achieve it.

**The Speaker (Hon David Warner):** I thank the member for Simcoe West for his contribution to the debate and invite questions and/or comments. Seeing none, I recognize the Minister of Health for the wrapup on the bill.

**Hon Mrs Grier:** Let me just say to my colleagues from Halton Centre and Simcoe West how much I support their support for this legislation and for the principle we are debating here today. I acknowledge their constructive comments with respect to areas of the legislation where they feel changes might be made, and say again that I look forward over the coming months to working with the professions and with the interested parties in trying to refine some of those sections and deal with some of the issues that have been raised. But I very much appreciate the sense that on all sides of this House zero tolerance for sexual abuse of patients by professionals is the principle and is the approach.

I hope we will be back to this legislation early in the fall session so that we can complete our debate on it and then proclaim the long-awaited Regulated Health Professions Amendment Act.

1640

**The Speaker:** Mrs Grier moves second reading of Bill 100. Is it the pleasure of the House that the motion carry? Carried.

Shall the bill be ordered for third reading?

**Hon Mrs Grier:** Social development committee.

**The Speaker:** Agreed.

**Hon Brian A. Charlton (Government House Leader):** Mr Speaker, just before we proceed to the next order, I believe His Honour awaits royal assent.

*His Honour the Lieutenant Governor of Ontario entered the chamber of the Legislative Assembly and took his seat upon the throne.*

ROYAL ASSENT

SANCTION ROYALE

**Hon Henry N.R. Jackman (Lieutenant Governor):** Pray be seated.

**The Speaker (Hon David Warner):** May it please Your Honour, the Legislative Assembly of the province has, at its present meetings thereof, passed certain bills to which, in the name of and on behalf of the said Legislative Assembly, I respectfully request Your Honour's assent.

**Senior Clerk Assistant and Clerk of Journals (Mr Alex D. McFedries):** The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 4, An Act to amend certain Acts relating to Education / Loi modifiant certaines lois en ce qui concerne l'éducation

Bill 32, An Act to amend the Retail Sales Tax Act / Loi modifiant la Loi sur la taxe de vente au détail

Bill 34, An Act to amend the Highway Traffic Act and the Personal Property Security Act in respect of Used Vehicle Information Packages / Loi modifiant le Code de la route et la Loi sur les sûretés mobilières à l'égard des dossiers de renseignements sur les véhicules d'occasion

Bill 38, An Act to amend the Retail Business Holidays Act in respect of Sunday Shopping / Loi modifiant la Loi sur les jours fériés dans le commerce de détail en ce qui concerne l'ouverture des commerces le dimanche

Bill 61, An Act respecting Algonquin and Ward's Islands and respecting the Stewardship of the Residential Community on the Toronto Islands / Loi concernant les îles Algonquin et Ward's et concernant l'administration de la zone résidentielle des îles de Toronto

Bill 84, An Act to amend certain Acts to eliminate the Commercial Concentration Tax and reduce certain expenditures as referred to in the 1993 Budget / Loi modifiant certaines lois afin d'éliminer l'impôt sur les concentrations commerciales et de réduire certaines dépenses comme le prévoit le budget de 1993

Bill 103, An Act to provide firefighters with protection from personal liability and indemnification for legal costs / Loi visant à accorder l'immunité aux pompiers et à les indemniser de leurs frais de justice

Bill 124, An Act to amend the Highway Traffic Act / Loi portant modification du Code de la route

Bill 169, An Act to amend the Public Service Act and the Crown Employees Collective Bargaining Act / Loi modifiant la Loi sur la fonction publique et la Loi sur la négociation collective des employés de la Couronne

Bill Pr9, An Act to revive Kirby Holdings Inc

Bill Pr33, An Act respecting the Village of Merrickville

Bill Pr42, An Act to revive Hellenic Orthodox Community of Kingston

Bill Pr54, An Act to revive Paragon Financial Corp

Bill Pr55, An Act to revive Philmanser Investments Ltd

Bill Pr80, An Act respecting the City of Toronto.

**Clerk of the House (Mr Claude L. DesRosiers):** In Her Majesty's name, the Honourable the Lieutenant Governor doth assent to these bills.

Au nom de Sa Majesté, Son Honneur le lieutenant-gouverneur sanctionne ces projets de loi.

*His Honour was then pleased to retire.*

#### ONTARIO CASINO CORPORATION ACT, 1993

#### LOI DE 1993 SUR LA SOCIÉTÉ DES CASINOS DE L'ONTARIO

Resuming the adjourned debate on the motion for second reading of Bill 8, An Act to provide for the control of casinos through the establishment of the Ontario Casino Corporation and to provide for certain other matters related to casinos / Loi prévoyant la réglementation des casinos par la création de la Société des casinos de l'Ontario et traitant de certaines autres questions relatives aux casinos.

**The Speaker (Hon David Warner):** By rotation, the opportunity is extended to the third party.

**Mr Allan K. McLean (Simcoe East):** I'm pleased to rise and to speak briefly with regard to Bill 8. I will be brief, but I want to say that I welcome this opportunity to comment briefly on Bill 8, the Ontario Casino Corporation Act.

I have a number of concerns about establishing gambling casinos, including the lack of a credible public consultation process undertaken by the government before it went off half-cocked and announced the pilot project for Windsor; my belief that state-operated casinos are nothing more than a regressive tax on the poor; the potential for the growth of crime, and the economic hardship and loss of jobs they will impose on Ontario's racing industry.

Once again, the government has undertaken to bring forward legislation that appears to be dividing Ontarians against each other. Some support the idea of gambling casinos in principle, while others are adamantly opposed. Once again, there does not appear to be any middle ground on this issue. The split occurs in Simcoe East and I'm sure within all ridings in Ontario.

I would like to take this opportunity to bring to your attention some of the letters and petitions related to casino gambling, pro and con, that I've received from constituents in my riding of Simcoe East.

One positive letter that I received was from the Huronia Tourist Association. It said:

"With respect to the concept of casinos as a means of stimulating tourism and thus, via the ripple effects, spurring the overall economy of this province, this association wishes to commend and support your government for this far-sighted and innovative approach. We also commend you for recognizing and stating publicly on March 24 that we in Ontario are competing for tourist dollars with other places."

1650

I have a letter here from the racing industry:

"The racing industry is very concerned with regard to this. Some 50,000 people are involved in jobs within racing. They're on breeding farms and business supply"—they're associated with the activity of the racetrack. "Many of these jobs will be lost as a result of the decrease in parimutuel betting. In other jurisdictions in Canada and the US, these results have been documented," as you will see by the material that they've enclosed for me, and it's well-documented, that casino gambling does affect the racing industry.

Those letters are from Barrie Raceway Holdings Ltd, signed by Bill Rowe, the president, and another one from the general manager, Mr James Hutchings.

I have presented a number of petitions in this Legislature opposing gambling casinos. They are also opposed to the introduction of video lottery terminals in the province of Ontario. I have many petitions, from Orillia, Oro Station, Udney, from St Paul's United Church in Orillia, people in Coldwater, from the Orillia Christian Reformed Church, from the people from Elmvale, Penetanguishene. The petitions are from all across the riding of Simcoe East opposing casino gambling.

There has been material sent to the Premier of Ontario with opposition to legalized gambling casinos in Ontario. Louise Jerome of Orillia sent a very telling letter with regard to the casinos. She wants the government to abandon the casino gambling "and thus send a message to people of Ontario that there are indeed definite values in our society."

Some of the other letters that I have received with regard to the opposition of legalized gambling casinos in Ontario are many. As I said at the beginning, we had the one from Julian Huften from the Huronia Tourist Association. He was speaking on behalf of his membership. We have the opposition to legalized gambling casinos in Ontario from Harold and Ann Strong, who live in Orillia. We have a letter from Shirley Stewart, 654 Glen Crescent in Orillia. There are many letters and briefs that I have received; from Mr McKendrell, RR 1, Lot 40, Maplewood Parkway in Orillia. We can go on with regard to the letters. It's just overwhelming, the letters; from Robert Oldfield in Orillia. We have hundreds of them here.

In conclusion, I want to simply point out it appears that rather than concentrate on legitimate action to

increase business confidence and create an environment that would spur investment in Ontario, the NDP government has decided to roll the dice with Ontario's economic wellbeing. If this government would get its own spending under control, there would be no need to embark on what could prove to be yet another wrong direction for Ontario. It is a sad state of affairs when a government chooses to gamble with our future and that of our children.

**The Speaker:** I thank the honourable member for Simcoe East for his contribution to the debate and invite any questions and/or comments. Is there further debate on this bill?

**Mr Peter Kormos (Welland-Thorold):** I spoke briefly in the two minutes allotted for responses and questions after the very capable comments by the member for Victoria-Haliburton two days ago, earlier this week. You'll recall that I commended the member for Victoria-Haliburton for his leadership on this issue. I think he made important comments here in the Legislature and has made a number, as you're well aware, of public comments about the direction this government has travelled with so-called casino gambling.

When I spoke briefly earlier this week, I wanted to make it quite clear and I make no apologies for indicating that the member for Victoria-Haliburton and I do not share an absolutely common ground with respect to the issues of casinos.

I tell you that I come from a community, as you well know, Welland-Thorold in the heart of the Niagara Peninsula, where there's a heavy concentration of agricultural activity, much of it supporting and an integral part of the racetrack industry, one of which is in Fort Erie, one of which just underwent a particularly difficult time in its life. Part of the argument very properly advanced on behalf of the Fort Erie Race Track was the fact that it's an integral and very important part of the agricultural industry here in the province of Ontario.

As you well know, the Ontario Jockey Club, although it has become a participant in the bidding process to operate, as it is now, the proposed Windsor casino, has at the same time expressed a great deal of concern, as have other members, especially those with interests in the agricultural community in this province, in the impact of full-scale casino operations on the survival of racetracks.

I have to tell you this: Surely, you have to understand that Bill 8 does not constitute the introduction of gambling to Ontario. I grew up in Crowsland, and my experience as a youth in Crowsland, what with the backroom card games and dice games and the advent of more than the occasional bookie, demonstrates clearly that there's nothing new about gambling in Ontario. Indeed, I suspect there was many a family that sent its children to university as a result of those very activities.

Like I told you a few days ago, I, unlike some other people, make no pretence about never having been to a racetrack, never having bought a lottery ticket. Indeed, I've had occasion to visit a casino not only in the Canadian context but in the American context. I've heard and I've listened carefully to some of the comments that have been made in support of the proposition, because one of the critiques is that casinos, this type of institutionalized gambling, are but a tax on the poor. Of course, in response to that, there's the comment made, "Well, you see, it's only the rich who go to casinos." I'm sorry, in these difficult times, in recessionary times when people are suffering some of the bleakest futures that Ontarians have ever had to unfortunately look forward to—

*Interjection.*

**Mr Kormos:** First of all, there aren't that many rich any more and, secondly, those people who find themselves in the most desperate of positions look, I believe, increasingly to these games of chance, to the prospect of the big win. I know there are \$2 bettors at the racetrack, but I also know that there are \$100 and \$200 and \$300 bettors at the racetrack. I tell you, you don't have to go very far to witness some of the misery of the phenomenon, the lure of gambling, the lure of the easy buck, the lure of the fast win, of the big paycheque, and what that has done to more than a few families. I can speak directly about my experience with families in my own communities of Welland and Thorold.

I have some real concerns about the fact that it seems to me, what with the concentrated effort on the part of the provincial government in terms of developing Lottario-style gambling, it's a numbers racket. Why, it wasn't that long ago that the mob was running that in large American cities. As it is now, with the government of Ontario, for some significant period of time and through a succession now of three different political parties constituting the government, what used to be the prerogative of the mob is now very much the prerogative of government. It's certainly well established, and Lotto in Ontario, with great fanfare, talked about the acquisition of some \$5 billion just recently. They passed the \$5-billion mark—a lot of money. You're talking about \$5 billion that came out of the pockets not entirely of Ontarians but certainly to the largest extent.

The fact is you can't have winners unless you have losers. The reality is there's a lot more losers than there are winners. That's the nature of the game. Most people understand that. But, you see, we have a well-networked and very intensive numbers racket going on in the province of Ontario. I come from a community where bingo and bingo operations, again sanctioned by the provincial government, licensed as they are, bingo operations in the communities that I come from are alive and well. I tell you, those smoky halls are well filled virtually every day of the week, beginning in the

early day well into the final shot, the final grab for the brass ring, the midnight game: Midnight Madness, they call it.

1700

There's more than a few charitable organizations and churches in my communities that derive a great deal of dollars for their good works as a result of the bingo games. There are more than a few charitable organizations that derive more than a few dollars from the sale of Nevada tickets, and you're familiar with those. I know you are, Mr Speaker, because once again the province licenses those.

We've got a little bit of a problem when Ray Rempel from the Ontario Head Injury Association comes to me and tells me about the province or the licensing branch putting the squeeze on him and telling him, "No, you can't sell any more Nevada tickets." This is for the Ontario Head Injury Association, which does some of the most creditable and significant work for, obviously, victims of head injuries here in the province of Ontario.

He's done an outstanding job for a number of years now and has struggled along, nickel-and-diming by virtue of the sale of Nevada tickets. He was told, "No, you can't have any more licences for Nevada tickets." You see, the government tells Ray Rempel there's a fear that the gambling dollar is exhausted, and if there are more Nevada ticket licences provided somehow it will diminish and eat into the finite number of gambling dollars, that somehow it will become unproductive.

What bothers me is that I don't understand how Ray Rempel can be told that there's no more supply of gambling dollars in the province of Ontario—and that's what he was told—yet the province embarks on this ambitious enterprise.

Yes, I think there is some legitimate concern about what the proposed casino style of operation does to the capacity of charitable organizations, churches and groups like the Thorold Community Activities Group. Once a year they have a Monte Carlo night and, as a result of the volunteer work and the modest level of activity—you're talking about a \$2 limit—they raise funds that enable them, as a volunteer and charitable non-profit organization, to conduct any number of community activities: sports events, care for younger children, day care centres, education programs in the community of Thorold.

I've got a little bit of fear about what this will mean for the Thorold Community Activities Group which engages in this modest Monte Carlo night, a casino night, once per year. I have some great concern about what wide-open casino gambling will do to that particular organization of hard-working people very committed to their community.

Nobody's quarrelling with the fact the government has simply less and less money to provide by way of

grants and funding for these very same sorts of organizations. These organizations are being told to go out there and do more to raise their own money, and they understand it too. I suppose the most frequent refrain they put to this government, that they put to all levels of government, is, "Please, we understand that government has less money to give, but surely you can help us raise the funds, to go out there with hard work and legwork and volunteer labour, that we're prepared to raise on our own," through, again, modest vehicles of bingo, Nevada tickets and the occasional Monte Carlo night.

I'm further bothered by what I believe I can very confidently understand would have been our position were we in opposition and were the earlier government to have proposed wide-open casino gambling, large-scale casino operations, in the province of Ontario.

I was here for about two years as a member of the opposition before this government got elected, when there were only 19 of us, when we, as New Democrats, spoke out against the things we felt were wrong or were badly or poorly conceived and developed, and about things that were contrary to what we had told people we believed in for so, so long.

I recall early on in this process a question I put to the minister about the absence of any New Democratic Party policy on the issue of government casinos. Indeed, there hadn't been any. I understand that there's no policy on the policy books that very specifically says, "There shall not be casinos in the province of Ontario." But I tell you, you don't have to look too hard to see a clear pattern in terms of the commentary of New Democrats, as recently as the last opposition here in the last Parliament, when the Liberals held power, all the way back through literally generations of New Democrats and CCFers before them, who very properly, in my view, questioned the appropriateness of governments using gambling as a way to generate revenues.

The persistent question is, is that how we do business? Do you rely upon a throw of the dice? I understand that no dice are going to be permitted in Ontario casinos, but do you rely upon the draw of the card or the roll of the wheel or the pull of the handle on the one-armed bandit to generate revenues to provide those things that Ontarians have come to expect and—rightly so—deserve because of the fact that this province should be and has the capacity to be a place that provides caring structure and sets of benefits and programs to accommodate people who need the help of their government?

One's drawn to the irresistible conclusion that had the government of 1989 presented this legislation, New Democrats would have led the fight in opposition to it. It's just an irresistible conclusion. I'm strengthened by reading the Hansard comments of colleagues of mine in that modest opposition of 19 members and going back

yet further and reading the commentary of such great Ontarians as Mel Swart, among others, I tell you, although we've seen fit to implement very little, if anything—but to be fair, very little—of what was contained in our policy platform presented to the public of Ontario in the summer of 1990, a policy platform that, I'm insistent, got New Democrats elected in unprecedented numbers to this Legislature, although somehow we feel capable of abandoning those, it's remarkable that we would feel as comfortable introducing a program that is antithetical to everything that New Democrats and CCFers before them stood for and believed in.

I appreciate that times change; of course times change. I appreciate that the mood of the electorate changes; of course the mood of the electorate changes. But to that end, I got from the library the October 1992 omnibus survey conducted by the government which very specifically polled on the issue, in a very modest way. Again, you know how polling and surveying, depending upon the type of question that's asked, can be skewed. I tell you, even in a survey that does not present to the persons being questioned any of the controversial issues, there is no clear consensus in the province of Ontario for casino gambling.

Let's go one step further, because I've got to tell you this: There are people in Welland and Thorold who think the government's policy about developing casinos is a fine policy. There's no two ways about it. Under ideal circumstances, one could look forward to the committee process, the committee process that I'm told is going to take place after this vote today, a committee of all three parties—of course, as committees are structured, dominated by government members. But that committee process is going to be travelling about the province, visiting any number of communities, soliciting their views on casinos.

I've got a little bit of problem with that, because it seems to me that all the policies have already been established, as strong or as weak as those policies might be construed. It seems that a location has already been chosen, that a commitment has already been made. I understand that the members for the Windsor area undoubtedly—again, I'm not saying I would necessarily do what they did if I were a member of a similar community, but I understand their drive to accommodate a community very similar to my own community. I understand that Windsor has been hit by a recession, that Windsor has been impacted by the phenomenon, somewhat declining now, of cross-border shopping; they'll tell you that so is Niagara.

**1710**

But what bothers me is that in the information sessions it was indicated that the target market for this casino in Windsor is some 100-mile radius around the city of Windsor. By God, that means the city of Detroit.

I don't want to downgrade our American friends in Detroit, but I'll tell you, if there were any money left in Detroit the Americans would have got it already.

When you look to the Canadian side, you're talking about communities of laid-off workers, communities of workers who risk the prospect of layoff, communities of farmers who are struggling as a result, among other things, of free trade, just as they are down in the Niagara region; not a whole lot of money.

Look, the bottom line is: Read the travel section of the Toronto Star this weekend. The bottom line is that for \$350 you get four days and three nights in Las Vegas, plus Wayne Newton thrown in for another \$30 or \$40 if you're so inclined. I've got a hard time understanding how the casino that's been proposed is going to generate an influx of tourism to the community of Windsor.

Look, I know the aspirations of a community like Windsor, because my own community has done a great deal of things. The cities of Welland and Thorold have done a great deal to generate as much interest in those communities as they can for the tourist buck.

But you know what's bothersome? It seems to me that if we are going to develop a casino industry, we're not interested in recycling Ontario dollars and in emptying the pockets of hardworking Ontarians or, as often as not, those who would like to be hardworking Ontarians. It seems to me that if there were really an interest here in using legitimized casinos as a means of enhancing the tourist industry, two things would happen: You wouldn't be surveying in the province of Ontario to see what sort of spin you could put on it, because of course the connection, the nexus is made. The nexus is: If you've got a casino, you've got jobs. What could be more marketable than that type of proposition?

Let me put it this way: Nobody is ever going to send kids to university on the types of money you're making running a game of 21 in a casino. Nobody is going to send their children to university or provide for their retirement on the types of incomes that are earned by hardworking people in that very same type and style of tourist industry.

It strikes me as very peculiar that somehow this is linked to jobs; that somehow this is linked to tourism. I simply don't believe that the hard data are there to support it. Once again, what's being proposed isn't in any way, shape or form competitive with casino operations available internationally, available to international tourists in the United States.

It seems to me strange that the surveying that would be done in Ontario would clearly speak to the type of spin—and the spin ain't too difficult to figure out, because it's simply a matter of linking in people's minds jobs along with casinos—when there's no clear

effort to enhance tourism on an international level. I don't believe any research has been done about what, for instance, Japanese tourists would expect of Ontario casinos or what American tourists would expect of Ontario casinos if indeed those casinos were to bring them to this province and have them stay here and spend their money here and spend overnight here, or indeed a European tourist.

You don't have to be a genius to figure out that these are some of the very same people who are travelling internationally and historically have spent considerable amounts of money in the province of Ontario. In the end, it causes me great concern and some bewilderment why the community of Niagara Falls, which had a strong tourist base already, some 12 million people a year already travelling in and out of Niagara Falls on an annual basis, a hotel infrastructure, a policing network that was accustomed to the demands of a border community with high tourist traffic—it strikes me as very strange that Niagara Falls wouldn't have been more intimately involved in the development of what some might call a modest proposal, but what I will tell you I believe is a very scary proposal.

Once again, I understand that the argument is going to be made that there are going to be committee hearings. Well, I'm hard-pressed to understand how in three weeks of committee hearings, when people are invited and, because of the nature of committees, one group or one caucus within that committee can and often does exercise control—there's no secret about that; the Liberals did it while they were in government and unfortunately this government does it while it's in government—when there can be a very selective process of inviting participants to the committee hearing and they will be permitted a mere 30 minutes in which to make presentations—well, no, let me correct that, a mere 15 minutes in which to make presentations, leaving a balance of five minutes per caucus for questioning—

I tell you, I believe there's a great deal of expertise and information out there available to this government, and I speak of the assembly as a whole, on the issue of casinos and casino operations. There are undoubtedly people who are advocates of casino operations. It's clear that Donald Trump isn't one of them, because Donald Trump, with his experience in Atlantic City—remember what happened to Donald Trump? Two casino operations: One was upscale and the other one, although still somewhat more flamboyant than what's proposed in Windsor, was geared towards the low roller, if you will. Well, Donald Trump learned very quickly that casinos that are geared towards the low roller don't make money. The patrons lose their hard-earned dollars, their hard-earned paycheques, and the casinos go broke.

Do you know what my fear is? My fear is that this is but history repeating itself. I suppose I could go back

merely to SkyDome, but I'll go back all the way as far as Minaki Lodge. I've got a little bit of a premonition, but I may well be wrong—I have no doubt that people will point out to me that I was wrong two years hence—that the casino operators come forward two or three years hence, just as the race track did in Fort Erie and say: "Look, we can't make it this way. There simply isn't an adequate revenue for us to keep this place afloat, and you've got a choice, government. Either cough over more cash"—and basically you're saying to the taxpayers of Ontario, "Cough over more cash"—"or you're left holding this white elephant, this Minaki Lodge, this SkyDome of southwestern Ontario."

It bothers me a great deal that there's going to be a committee process, a process of committee hearings, yet the reality is that those committee hearings can in no way substantially impact on the policy that's already been developed, that's been articulated, that's been announced and about which commitments have been made. It's very peculiar, and it's peculiar because we, as New Democrats, fought against that process as hard as any caucus ever could when the Liberals were in power using the very same sort of process and procedures. We found it abominable then. I tell you, we should find it abominable now.

I understand that there's a strong division in the community about whether or not the province should endorse casino-style gambling, and I understand that. I understand there are people who are going to stand up and talk about casinos as being the entryway to a nirvana that none of us has ever experienced before. But I also understand that there are a whole lot of people out there with some very legitimate fears and concerns about what's happening in Ontario right now with respect to the legalization of wide-open casinos, the access of organized crime to those operations and their effect on the communities in which those casinos are located, along with their effect across the province; about the myth of job creation when in fact this type of industry creates minimum-wage jobs. Once again, nobody's ever been able to support their family in any level of decency on the types of incomes you earn in this type of so-called industry.

I've got a real problem about a government that would participate in a process that would chip away at what has been a high-wage economy that has made us a community, as a province, and very central to the country, that has provided standards of living for working women and men in this province that enabled them to buy the consumer goods, pay the taxes that are increasingly demanded of them and participate in their communities in an economic way that's productive and that constitutes nurturing.

Do you know what I'm going to do, Speaker? You know that the standing orders permit me to attend any committee hearing that I wish. I understand that the

committee's meeting in several communities and I'm not sure I can be at all of them, but I'm going to exercise my right, recognizing that surely this government wants a wide-open debate, surely this government wants to hear all the sides of the issue, surely this government wouldn't try to shut down dissent or opposition to a policy that is in no way consistent with its policy historically as a party and in no way consistent with—indeed, as I said, antithetical to—its commitments to the electorate when it ran for election in 1990.

So I'm going to visit the committee on occasion as it travels about; surely when it goes to Niagara Falls down in the Niagara Peninsula, because I tell you, Niagara Falls says, "Look, we could probably make this work." At the same time as the community in Niagara Falls is eager to participate in this type of regime, I tell you there are a whole lot of residents of that community who have great fear about what this means for the community of Niagara Falls, for the community of Niagara region and indeed for the province of Ontario.

I'm confident—and I look forward to being able to demonstrate this to you with the record once this is all done and over with—I am confident that the committee will welcome opposing views. I'm confident that the committee will welcome debate and indeed will do everything it can—and it can do a great deal, because it can control and regulate its own process—to make sure that in this instance if Mel Swart appears before this committee, as he did before the committee dealing with auto insurance, that indeed he's given an opportunity without censure, without closure, to address the issues and speak to them, that indeed he's accorded the dignity that any other member of this community is entitled to when they appear in front of a committee. I'm looking forward to that.

I'm looking forward to the non-partisan debate that will undoubtedly flow during clause-by-clause consideration, wherein government members will have listened to the submissions made to them and indeed will acquiesce to reasonable argument in a way that's never been done before—not by previous governments and, to this point in my experience, not by this government.

I am looking forward to seeing government members agree that the evidence is clear, and I'm looking forward to the committee calling before it leadership not only from within Ontario but leadership with experience in the United States that will speak to some of the horrors that have been imposed upon communities as a result of developing casino regimes.

Let me put it this way, and I'm about to close: If Donald Trump doesn't want to take any stock with it, if Donald Trump has no stake in it and isn't interested and doesn't see it as something that can float, I'll be darned if any of us should. Thank you kindly, Speaker.

**The Acting Speaker (Mr Noble Villeneuve):** Are there any questions or comments?

**Mr Carman McClelland (Brampton North):** I want to commend the speaker from Welland-Thorold for his usual insightful and, I might say, somewhat entertaining but very thoughtful presentation.

I couldn't help but be struck, as I watched in my office the member speak, when he said something I thought was so very telling. I repeat what the member said so well on the record. I heard him say that had this bill been introduced in 1989 by the Liberal government or in previous years by the Conservative government, the NDP would have risen to a woman and man, fighting it with everything they had, and perhaps would have fought it with a vigour that was only equalled by the fight that was established in terms of the auto insurance. But we can only speculate about that.

I welcome and look forward to having the member for Welland-Thorold and his predecessor appear with the committee to no doubt make some very, very valuable contributions. I say somewhat unhappily that notwithstanding the fact that my friend the member for Welland-Thorold looks forward to that day, not too long from now, when some of his colleagues will vote their conscience and vote on the basis of principle and what they hear as opposed to what the government tells them to do, I hope you don't hold your breath waiting, my friend, or you'll be indeed in a sorry state.

I look forward to that. I would hope that the proponents would have an opportunity to tell us exactly what it is; that the minister would allow some of the proponents to come—a suggestion made by the member for Parry Sound—to put forward some of the concrete suggestions they have so members of the committee have an opportunity to deal with specific items and things that are tangible and concrete and be able to put them to the test of the issues that are raised by people across this province.

I know there will be some controversy and I know there will be divided opinion, and I repeat what I said in my comments of a few nights ago and ask all members on the committee to listen, and listen not only with their ears but indeed with their minds and with their hearts, and listen on the basis of the argument, not on the basis of what is expedient and what they have been urged to do by the leadership of their party.

**Mr Chris Stockwell (Etobicoke West):** I did enjoy the comments given by the member for Welland-Thorold. They were as good, I think, as his comments on auto insurance, and they were again well researched. They do you give you insight into what it was like to be in opposition when the Liberals were in power and to have that heady day of being elected government, and it was a heady, brief period of time. I think they played "We ain't got a barrel of money" at their swearing in, and they all talked a big game and so on.

**Mr Anthony Perruzza (Downsview):** You were there.

**Mr Stockwell:** No, I wasn't there, but I read it in the paper. It was really curious reading, because here we are, three years later, and there's only one thing the same between that day, when they swore this cabinet in, and today: Their policies have changed, their initiatives have changed, their principles have changed, but they could still sing a very good tune of "I ain't got a barrel of money," because they still don't have a barrel of money. The only way they possibly could fill this barrel up, it appears, is by contravening planks that we would have thought unapproachable in years gone by, and one is the casino.

I enjoyed this conversation. I enjoyed hearing from a government caucus member who's telling us in opposition things we know: that the committee system is fixed, that the people who come into the committee system are invited, and if you're not invited you don't get to say anything. It's really interesting to hear these kinds of comments from a caucus member who is saying: "Gee, the fix was in when the casino was announced. The site was picked, no input, and it's a big rig job."

I'm really interested in hearing that from a caucus member of the government, because we've kind of believed that in the past. Never having concrete fact or evidence before us, we've always had the impression that it has been fixed and rigged, and here we have it today enunciated by not one of us but an upstanding NDP member of this caucus and, might I add, the only socialist left in Ontario, I think, at least in this House, and of course my friend Mr Drainville.

I will say I enjoyed these remarks. It's a shame we only get half an hour, because I could have sat through 17 hours of those debates.

**Mr Dennis Drainville (Victoria-Haliburton):** I was very impressed by the remarks addressed to the House by the honourable member for Welland-Thorold. One of the things that makes it so difficult to stand up and speak about this particular issue is to realize the very strong tradition that has been in the CCF and the NDP regarding the use of moneys through gambling. It has always been a premise—at least it used to be a premise for that party, for the CCF and the NDP—that state-run lotteries and state-run casinos were not acceptable.

1730

Today, we know there is a change. There is a change in society, yes, but there's a bigger change than the change in society: It's the change in the values and the betrayal of principles that we have seen on the part of the New Democratic Party over the last three years. This is nowhere more obvious than in this particular issue, because it's an issue where there was no consultation. The political élite of the government decided among themselves that they would move into this area. They didn't consult with anyone in the caucus, they didn't attempt in any way to try to get people to see

that there was a necessity to move in a new direction, at least in their own opinion.

And so it is that we find ourselves here. The honourable member for Welland-Thorold indicated that if this had been done by a Liberal government in 1989—well, we have had read into the actual Hansard of this place the remarks by the honourable member, the Minister of Finance, who himself indicated in 1990, four months before the election, how bad this lottery business and the use of such of funds was for the government. Yet we have a casino bill that comes before us that is diametrically opposed to that point of view. Four months before the election: It's a sham.

**Mr George Mammoliti (Yorkview):** I stand because I think I need to say a couple of things and to put a couple of things on record.

First of all, I'm going to vote in favour of the bill, not because I disagree with the speaker's ideology in terms of the social problems that might come along with this, because to a degree I agree with him: There will be some problems that come with it. But I've got to tell you this: I'm not in favour of any government that is hypocritical—

*Interjections.*

**Mr Gregory S. Sorbara (York Centre):** On a point of order, Mr Speaker: I don't know if you were listening to the debates, but I was, and my friend the member for Downsview clearly described the remarks of the speaker as hypocritical. We've had a long tradition that this is not appropriate and parliamentary, sir. I wish you'd call him to order.

**The Acting Speaker:** Order. The Speaker was having a great deal of difficulty hearing the member—

**Mr Sorbara:** I just told you: I heard him. He said "hypocritical." Just rule him out of order.

**The Acting Speaker:** If the honourable member feels he has said something unparliamentary, please withdraw.

**Mr Stockwell:** On a point of order, Mr Speaker: I heard the member very clearly. He did in fact say that he didn't support governments which were hypocritical. I would add that I think he should withdraw that, because I don't think he should refer to his party or his government as hypocritical.

**Mr Mammoliti:** Where I think this would be hypocritical is if we don't act and don't necessarily talk about the problems that currently exist out there. If some people were to look around their communities and find the \$10,000 bingos and perhaps the amount of rippy tickets that get sold on a regular basis in their community and not say to themselves that a casino is almost the same type of ordeal in terms of gambling and in terms of the addiction that comes with it, that's where a government might be hypocritical. For that reason—

**The Acting Speaker:** Thank you. The honourable member's time for questions or comments has ended.

The honourable member for Welland-Thorold has two minutes in response.

**Mr Kormos:** I'm almost tempted to cede my time to my friend to my right, I suppose in any number of ways, but I treat this time so jealously that I'm not quite prepared to do that.

Look, let's understand that there is clearly a lot of controversy about this. I think there has to be room for wide-open debate. I think there has to be a government that can demonstrate in this instance what an opportunity it is for this government to show Ontarians that government doesn't have to be the way it's always been, to show Ontario that government will consult before it determines its policy, that government indeed will go out to the community, not with a fixed point of view and with a point of view of treating the committee process as some sort of sham, the type of sham that would have made Pravda envious, but recognizing that it is a bona fide opportunity for the public to provide input into policy development.

Now, the "but" here is that it's awfully difficult to understand how that's going to happen in this instance when, as I say, the policy has been made, the policy's been articulated, the site's been chosen and, I dare say, the short list is there for the bidders for the grand hotel if indeed it will ever become that. In view of the history of the bidding for the temporary site, I'm fearful about the course of events that will transpire in the course of approving the ultimate bidder.

I'm particularly fearful of people buying a pig in a poke. I think that indeed what we have here has not been developed with the care that could have been applied to it. What has been developed here carries with it risks that have not been fairly acknowledged by the government, and what we're dealing with here carries with it the potential to leave a blemish, indeed a scar, on this province that will never be eradicated.

**The Acting Speaker:** I want to thank the honourable member for his participation and his response. Further debate on the second reading of Bill 8?

**Mr James J. Bradley (St Catharines):** Thank you, Mr Speaker, for the opportunity at the end of the month of July to speak on what I consider to be a very significant piece of legislation, a very ironic piece of legislation, being brought in by the NDP government in Ontario.

I want to say from the beginning that I am adamantly opposed to this bill. I have been adamantly opposed to the concept of casino gambling on the scale that the government is talking about throughout my political career. I believe that this bill introduces into this province yet another and an additional opportunity for people to gamble, one which brings along with it a lot

of glamour and one which is going to be detrimental to the best interests of this province.

I think most people who have lived a few years, members who sit in this Legislature, have seen people who have been the victims of gambling. These are individuals who have a compulsion to gamble. If we talk about alcohol, we would say they're alcoholics. I guess you'd call them gamblers or something of that nature in this case.

**Mr Sorbara:** Compulsive gamblers.

**Mr Bradley:** Compulsive gamblers, the member for York Centre suggests.

They are individuals who often squander their entire paycheque on some form of gambling. Admittedly, they are a small portion of the population; and thankfully they are a small portion of the population. Nevertheless, to the friends and family of those who are addicted that way, it is very sad indeed.

We have seen people, I'm sure, in our lives who have resorted to embezzlement in the company they work for or the employer they work with, never intending to steal the money for good but simply to get enough money to either pay off the debts or make another bet which will recoup enough money to pay back the money that has been embezzled. We have others who lie, who steal, who hock some of their goods at pawnshops in order to either get money to bet or to pay off gambling debts. That is sad indeed.

I find it regrettable that today, in 1993, there are so many opportunities for people to be gambling. It is not true that if you remove all of the legal opportunities that somehow people will not gamble, but the availability of those opportunities certainly means that more people are going to be gambling.

We introduced in this province, under the Progressive Conservatives in this particular case—it doesn't matter who was in power, but it was that long ago—a lottery system. It was a response, I guess, to the Irish Sweepstakes, where people used to purchase those tickets and everyone thought, "Well, the money is going overseas, so let's try to keep some of it here."

It was fairly low-key and it was fairly controlled to begin with. If we look at the situation in 1993, we have virtually every kind of lottery you can think of and we have all kinds of hucksterism on the part of the Ontario Lottery Corp encouraging people to spend as much money on lottery tickets as possible.

I guess I can't be too judgemental—there may be a lot of people who would be very annoyed with me for doing so—but I make this observation when I go into the corner store and watch how much money people spend on lottery tickets: I simply can't believe it. I suppose I tend to be somewhat a cautious person in those terms, but the amount of money that people are spending on gambling in this province is quite appal-

ling. I believe that that money, in many cases, could be spent much more productively to enhance our economy and to enhance the quality of life of those individuals.

It is unlikely that these opportunities are going to be removed. I don't know of a party in the House that is committed to shutting down the lotteries. Because what happens is, once you have them, it's extremely difficult to get rid of them. That's one of the arguments I would make against the establishment of the casino in Windsor.

First of all, the bill allows for other casinos to be established, but the government will make the case that we're going to have one casino, a test case, a pilot project in Windsor and that we will judge after that whether there will be more. I think one can conclude indeed that the government intends to establish more, and I believe that once a casino is established in Windsor, it would be very difficult for any subsequent administration to shut that casino down. To speak very realistically, I think that would be the case.

**Mr Wayne Lessard (Windsor-Walkerville):** I hope so.

**Mr Bradley:** I hear the member for Windsor intervening. I can tell him, if it were in St Catharines, I would be fighting it just as vehemently as I am. It has nothing to do with Windsor. I've told the people of St Catharines and the local authorities, if they apply for one, I will be opposing it. I have said this very publicly and the people of St Catharines know it and any promoters in that area know it. In St Catharines or anywhere else in the Niagara Peninsula, I would be as adamantly opposed as I am to this particular bill.

I think the lotteries are going to continue, quite obviously. By the way, I think something most members of the Legislature would not know until they get into government is there's no such thing as a dedicated lottery fund. Everyone thinks, including me, when I went into government, that there is a special fund set aside, that all of the money from Wintario goes into recreational and cultural projects. It doesn't. It all goes into the consolidated revenue fund.

I see the Minister of Labour smiling, because he probably had the same assumption. You get into government and you find out that's where everything goes, the consolidated revenue fund. So there isn't any dedicated fund out there for the money that is derived from gambling, from lotteries in this particular case.

My case against casino gambling then is that it is yet another and a more glamorous opportunity to gamble. Yes, people go to the corner store and they buy lottery tickets. Yes, people go to the racetrack, but at least they have to go to the racetrack and watch horses run around and place their wagers on them. But casino gambling is the most glamorous form of gambling, and I think that's why it is potentially the most dangerous of the gambling

opportunities that this government can make available to those who live in this province and those who would visit this province.

I think there is no doubt that organized crime would move in. I know that the chief of police in Windsor is very concerned about this. I was reading an article on July 14 by Jacqueline Smrke in the Windsor Star. It said as follows: "Windsor police chief Jim Adkin says if he doesn't have the police resources he needs to combat crime, the doors of Windsor's casino shouldn't be opened."

"Adkin, addressing members of the Kiwanis club at a luncheon on Tuesday, made it clear to his audience he was opposed to the province's stalling tactics, and to anyone who says the figures he used to illustrate the need for more officers are inflated he says, 'The casino came to the community on the pretence it would remain safe. Until it can be properly policed, it shouldn't exist.'"

Then he goes on: "But given the increased crowds, traffic and patronage at local bars and businesses, Adkin said he needed them three weeks ago so they can be trained. But the chief doesn't want to see his officers pulled from other areas of the community because of the casino. He told the group he was concerned about the crime rates in the US, which indicate crime has risen 351% in the last 30 years, nine times faster than the population growth."

The article goes on to say the following: "The demands of Ontario's social contract are an added complication. City police were recently told by city council to slash \$1.2 million from their 1993 budget because the province is cutting Windsor's municipal grants by \$10 million. Adkin said earlier the cutbacks may force him to move officers from other various departments."

"At the present time, the province is looking at pulling out as much as they can and leaving behind as little as they can. That's the business side to it," he told one Kiwanis member."

We see that the police are concerned and those who have dealt with these circumstances in other jurisdictions are concerned. I look at, for instance, some people who have made comments about this in other areas, where they say, "Legalization of casino gambling would fuel a renaissance of organized crime." That's Robert Fuesel of the Chicago Crime Commission.

Another article which appeared in a series of articles in the Toronto Star went as follows: "Prostitution, muggings, drugs, hotel room theft and house break-ins are some of the crimes that places like Atlantic City have seen increase."

One of the most outspoken critics of incoming casinos is William Jahoda, a former mob overseer of gambling in Chicago. In a May 16, 1992, letter to the

Chicago Crime Commission, Jahoda warned, “(Converging on Chicago)...will next be every pimp, burglar, drifter, car thief, booster, arsonist, counterfeiter, dope dealer, con man, hijacker, extortionist and worse.” I am not describing the government caucus, but I am describing what this individual believes would happen if we have casino gambling in Ontario.

I also look on the fact that there are other people who have written some interesting things about casino gambling, and I’ll get to those in just a moment.

I want to talk about the effect on local charities. Local charities are in a very difficult position in terms of raising funds. They see the competition that is taking place for those dollars. They know how hard it is to raise them in a difficult community. In effect, what’s going to happen as a result is that we’re going to see them getting less money. They run these little events from time to time. They’re small events. The stakes are very low and the opportunities to squander a lot of money are quite absent. But they see this as competition. It’ll happen in Windsor; it’ll happen in other places.

It will also obviously hurt the horse racing industry. Representations have been made to various members of the Legislature by representatives of the horse racing industry, all of whom are quite concerned that in fact their industry is going to suffer an economic loss from the competition which arises from casino gambling. I think that’s rather significant in itself.

I recall that Donald Trump, appearing on a television program on my favourite network, the CBC, on Sunday night on Venture, was interviewed by the interviewer, whose name escapes me right now.

**Mr Charles Beer (York North):** Robert Scully.

**Mr Bradley:** Robert Scully, who is very good. He’s bilingual and interviews in both languages. Robert Scully interviewed Donald Trump, and I almost fell off my chair when I heard what Donald Trump had to say about casino gambling.

In effect, what Donald Trump said was that he would not recommend it to a community. He talked about the major problems that would arise and he certainly wouldn’t want to recommend it in a community in which he lived. Donald Trump is one of the people who would like to run the casino in Windsor, so if he is saying that, you know there are real problems.

**Mr Sorbara:** Mr Speaker, on a point of order: I’ve been listening to the speech of my colleague from St Catharines. Notwithstanding the lateness of the hour, this is an extremely important debate. It’s an extremely important bill. The member for St Catharines is one of the most informed people in this Legislature, if not the most.

**The Acting Speaker:** That is not a point of order.

**Mr Sorbara:** I would ask you, sir, to advise the

members on the government side if they might do him the courtesy—

**The Acting Speaker:** Thank you. It’s not a point of order.

**1750**

**Mr Bradley:** Continuing my remarks, because I mentioned there were other people who would be involved in this, I would like to mention Pierre Berton. Pierre Berton has long been known as certainly sympathetic to the New Democratic Party, perhaps a member of the New Democratic Party. An eminent social historian, my friend from York Centre tells me we should classify him as. He had the following to say in a July 17 article in the Toronto Star:

“Anyone who has read the Star’s recent four-part series on the Ontario government’s plans for a casino society, cannot help but be struck by the incredible naïveté of the NDP members of the Legislature.

“Wet behind the ears, but in power as a result of an unexpected provincial landslide, these innocents have swallowed whole the myth of a squeaky-clean cash cow that will help reduce the appalling deficit that threatens to beggar the province.

“Even Gambling Bob, who once declared (in opposition) that legalized gambling was ‘a tax on the poor,’ has climbed aboard the bandwagon.

“Apparently, the NDP has decided against all evidence that gambling will be squeaky clean in Windsor and will attract hordes of well-heeled American tourists, even though it isn’t going to be much fun. No dice, no booze, no Las Vegas glitz. A very Canadian Sodom....

“That’s the Canadian way, brought to you by the same wonderful folks who balked at Sunday shopping.

“How long do the sophomores at Queen’s Park think all this is going to last? Don’t they understand the kind of big-money pressure they’re going to face? How long before this government or its successor buckles under?

“Do they really believe there’ll be no Las Vegas-type strip in Windsor’s future? How long before one casino becomes two casinos, and then three, or four? If one casino brings in \$140 million a year, why not a dozen—and balance the budget?

“These things have a habit of proliferating. When booze was first introduced in Ontario, only three saloons were allowed in Toronto and we were assured that control would be strict. Today there are 3,549; any corner bistro can get a license. When Mafia enforcers beat a local gambler into insensibility in the old Town Tavern, it didn’t stop the LLBO from renewing the license of what was clearly a mob hangout. As for lotteries: We started with one; now they’re everywhere.

“Even if the \$140-million figure is correct, has the government counted the real cost in increased police forces and social services? The Star has documented Atlantic City’s experience—increased prostitution,

muggings, loan-sharking, drugs, hotel theft, and house break-ins. And, in spite of all the bright promises when casinos opened, the city looks like 'Dresden after World War II.'

"The good burghers of Windsor are quickly going to discover that gamblers are going to want 'booze, broads,' and what has been called 'an engulfing entertainment experience,' if they are going to be lured across the river.

"With that, of course, comes the mob.

"Marilyn Churley, a real naïf, is the minister of record here, yet she confesses, artlessly, that she's never been in a casino, never gambled, never even bought a lottery ticket, and knows scarcely anything about beautiful downtown Windsor. She was opposed to gambling at the Ex, but now supports this Faustian bargain.

"Does Ms Churley really believe that organized crime can be kept out of the casino business in Canada? Anyone who believes that, as the Duke of Wellington said, will believe anything.

"Oh sure, they're going to check the 'background' of everybody involved with casinos in Ontario. You bet; and the Great Pumpkin rises every Hallowe'en.

"The hotel unions in both Vegas and Atlantic City are mob-controlled. The thugs don't have to own the casinos, all they have to do is control the unions and the services—laundry, food, and, of course, the slot machines, which they service.

"We know that video poker is mob-controlled. How long before we hear a demand for video lottery terminals in the casino cities of the future?

"The most sickening aspect of this unseemly rush to turn Ontario into a something-for-nothing society, is the stand taken by the Art Gallery of Windsor.

"So eager was the government to get the roulette wheels whirling that it has managed to convince the gallery to turn over its facilities, lock, stock and sculptures, to the casino management.

"What a symbol for the '90s! The little white ball begins to click on the stroke of midnight 1993, while the gallery hustles about trying to find temporary quarters to display some of its paintings.

"Talk about selling your soul for a mess of pottage! Well, at least we know what our priorities are in this province."

The reason I quoted that at length is that Pierre Berton is a very respected writer, a very respected social commentator, and I thought it was worthy of sharing with members of this House his views on this subject.

Now, I want to talk about a couple of other aspects of this. I, along with some members here, met with a Tory MLA from Nova Scotia who was concerned about video lottery terminals, and along with the member for

Victoria-Haliburton, discussed the matter in some depth of the gambling problem in Nova Scotia.

This Tory, I believe, was the chair of the PC caucus in Nova Scotia and had left the caucus as a result of this particular initiative on the part of that government. I thought what he talked about was rather revealing in terms of the experience of Nova Scotia, and I could certainly see that happening here.

I was impressed by the report by Howard Hampton, who is now our Minister of Natural Resources, when he was, I think, a legal student, who wrote a report about the damage that casino gambling can cause to any particular society. I agreed with Howard Hampton, as he was known in those days, now the member for Rainy River, Minister of Natural Resources.

I look at the fact that it's very difficult for a member to leave a political party for any particular reason and I look at the fact that the member for Victoria-Haliburton, although he may be discontented with the government for other reasons, actually saw this particular issue as being very significant, because when he ran as a New Democrat and was elected as a New Democrat, he knew that the history of the party, the CCF and then the New Democratic Party, was one which suggested very strongly that the NDP would be opposed to casino gambling. Indeed, I expect that was the main reason he left the government caucus and all the opportunities that arise from being part of a government caucus.

I suspect there are a number of members over there today on the government side who are opposed to casino gambling. I know my friend and long-time colleague Mel Swart, former MLA, as he would call himself, from Welland-Thorold, was adamantly opposed to casino gambling as well. So I hope there will be, among the members of the Legislature on the government side, a rethinking.

I hope, if this does pass—and the government has the numbers to pass it—that when the government hears the representations made by various people in committee as the committee travels around the province, it will withdraw the bill and decide that it isn't a good thing for this province and for its people.

The reason we're in this is that the government is desperate for funds, and when it's desperate for funds, when the economy has been mismanaged to the extent it has, governments do desperate things. And it appears to be very attractive. The only argument that has some justification, some would say, is the economic argument: It will be good for the provincial coffers.

I can tell you it's good only as long as you're the only game in town. If we have one in Niagara Falls, I can assure you New York state will permit one right across the border. If we have one in Windsor, it'll be approved in the city of Detroit. If we have one in any

border area, you can be assured that the adjacent jurisdiction will also be prepared to initiate another project to compete with it.

The last argument I want to make, because there was a good article by Richard Brennan on July 9, 1993, in the Windsor Star—I'm not going to quote all the way from it, but I think it's worthy of members to take the time to read this particular article, because it contains a lot of good information.

I want to also look at what Tom Walkom has to say about this. Certainly, I could never define him as a capital-L Liberal or a capital-P PC. I would say that he's a New Democrat of the old style or a CCFer of the old style. He had the following to say about casino gambling:

**"Gambling on Casinos a Sign of Desperation."**

"What's so very sad about Ontario's decision to introduce casino gambling is a sense of social desperation that lurks behind it. When a government encourages its citizens to gamble in order to produce revenue for its treasury, it is admitting defeat.

"It is saying that society is no longer able in an open and democratic way to tax itself for the services it wants. It is conceding that government has lost the moral authority to convince taxpayers that if they want public goods such as roads and health care they must be willing to pay for them.

"It is saying instead that the only way to pry more money from the electorate is to con it, to appeal to its cupidity rather than to its sense of rational self-interest. So it encourages gambling and takes a hefty cut.

"Gambling is a con. On average, the gambler can't get out what he puts in. Odds are against him. This is how gambling concerns make money.

"Officially, the Windsor casino is a pilot project, but almost certainly there will be more. The government has had requests from Indian reserves and other hard-hit border cities. The pressure is intense."

Indeed, the pressure is intense. But despite that pressure, I want to appeal to the members of the government caucus and to the cabinet to withdraw the bill, to not proceed with it this afternoon, and at the very least, if it's adamantly in favour of moving forward, to ensure that after hearing the good arguments in committee, the government will then withdraw. I will not call it a retreat; I will say it is simply a very wise decision on the part of a government that might be listening.

**Mr Stockwell:** I just want to say that the comments made by the member for St Catharines were, I thought, rather thoughtful and brought forth the Treasurer who at one point was screaming, "The sky is falling." I had to correct him. It had in fact fallen many months ago. But I want to say that September 6, 1990, was the day the sky fell for most people in the province of Ontario.

It was a good speech and it just outlined the concerns

that some people in this province have with respect to this piece of legislation.

Although there are some who would support this kind of endeavour, it seems to me that those people who would have supported this particular motion knew they had no time with this government to have any hope of getting it endorsed or passed into legislation, so I think they're rather shocked to see it.

The very disappointed ones are the ones who would never have thought in a million years that this kind of legislation would come forward. They would think that this government, the NDP government they voted for, would never in a million years have come forward with legislation that allowed casino gambling, considering its past record, considering its attack on the lottery system. Heck, a lottery that costs a buck and you can win a million dollars was "a tax on the poor." That was "a tax on the poor."

I don't know what kind of comments, what kind of slogans they would've come up with in opposition, but it would've been unbelievable. The attack would've been unrelenting from this side of the House if it were a different government introducing this kind of motion.

Mr Speaker, considering it is 6 of the clock, and it's time for us to adjourn this debate, I would do just that: I would simply adjourn the debate.

**Mr Drainville:** I'm glad to get up and to speak to the remarks that have been made by the honourable member for St Catharines. There's no question that the concerns he raised in his address to the House are concerns that have been raised by people across the province of Ontario.

The honourable member for St Catharines has shown a great interest in the kind of legislation which helps to promote family life. In fact, if we look at the kinds of things he supported in this House—he was against Bill 38, the Sunday shopping bill—he has tried to foster the possibility that families can have time together and also have opportunities so they can prosper as families, that the social fabric of the province will continue to be a good social fabric.

Many petitions have been brought before this House. As I indicated the other day, I have brought 15,000 petitions from across Ontario, and I know many members in the House have brought many hundreds and thousands more of petitions. So it is that today, I want to affirm what the honourable member for St Catharines has said. I also want to point out one point that he made in his very good speech, and that is that casino gambling and other forms of gambling—thank you, Mr Speaker, for giving me the opportunity to make these remarks.

**The Speaker:** The government House leader.

**Hon Brian A. Charlton (Government House Leader):** I'd like to just take a moment to see whether

there's consent to sit past 6 o'clock.

**The Speaker:** Is there unanimous consent?

**Hon Mr Charlton:** Perhaps I can deal with the business for next week before we adjourn.

*Interjections.*

**The Speaker:** One thing at a time. First, I will test the House to determine if we may sit past 6 of the clock. Is there unanimous consent to sit beyond 6 of the clock? I heard at least one no and therefore we do not sit beyond 6 of the clock. Is there a business statement?

#### BUSINESS OF THE HOUSE

**Hon Brian A. Charlton (Government House Leader):** On Tuesday, we'd like to resume the debate on Bill 50 and then move to the debate on Bill 26 and the rest of the business for next week will be announced as we go.

**The Speaker (Hon David Warner):** It being beyond 6 of the clock, this House stands adjourned.

*The House adjourned at 1805.*



## CONTENTS

Thursday 29 July 1993

### SECOND AND THIRD READINGS

<b>Kirbryn Holdings Inc Act, 1993,</b>	
Bill Pr9	
Mr Conway . . . . .	2973
<b>Village of Merrickville Act, 1993,</b>	
Bill Pr33	
Mr Runciman . . . . .	2973
<b>Hellenic Orthodox Community of Kingston and District Act, 1993,</b>	
Bill Pr42	
Mr Gary Wilson . . . . .	2973
<b>Paragon Financial Corp Act, 1993,</b>	
Bill Pr54	
Mr Conway . . . . .	2973
<b>Philmanser Investments Ltd Act, 1993,</b>	
Bill Pr55	
Mr Conway . . . . .	2973
<b>City of Toronto Act, 1993,</b>	Bill Pr80
Mr Charlton . . . . .	2973

### THIRD READINGS

<b>Budget Statute Law Amendment Act, 1993,</b>	Bill 84
Mr Sutherland . . . . .	2973, 2974
Mr David Johnson . . . . .	2973, 2974
Mr Stockwell . . . . .	2974
SECOND READINGS	
<b>Expenditure Control Plan Statute Law Amendment Act, 1993,</b>	Bill 50
Mr Bradley . . . . .	2975
Mrs Caplan . . . . .	2977
Mrs Grier . . . . .	2977
<b>Regulated Health Professions Amendment Act, 1993,</b>	Bill 100
Mrs Grier . . . . .	2978, 2983
Mrs Sullivan . . . . .	2979
Mr Jim Wilson . . . . .	2981

### ROYAL ASSENT

The Lieutenant Governor . . . . .	2983
-----------------------------------	------

### SECOND READINGS

<b>Ontario Casino Corporation Act, 1993,</b>	Bill 8
Mr McLean . . . . .	2984
Mr Kormos . . . . .	2985, 2991
Mr McClelland . . . . .	2989
Mr Stockwell . . . . .	2989, 2995
Mr Drainville . . . . .	2990, 2995
Mr Mammoliti . . . . .	2990
Mr Bradley . . . . .	2991

### OTHER BUSINESS

<b>Business of the House</b>	
Mr Charlton . . . . .	2996

## TABLE DES MATIÈRES

Jeudi 29 juillet 1993

### SANCTION ROYALE

Le lieutenant-gouverneur . . . . .	2983
------------------------------------	------

CAZON  
X1  
-D23

Document  
Parlementaire

No. 58



Nº 58

ISSN 1180-2987

## Legislative Assembly of Ontario

Third Session, 35th Parliament

## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Tuesday 3 August 1993

# Journal des débats (Hansard)

Mardi 3 août 1993



Speaker  
Honourable David Warner

Président  
L'honorable David Warner

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



### **Hansard on your computer**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. Sent as part of the television signal on the Ontario parliamentary channel, they are received by a special decoder and converted into data that your PC can store. Using any DOS-based word processing program, you can retrieve the documents and search, print or save them. By using specific fonts and point sizes, you can replicate the formally printed version. For a brochure describing the service, call 416-325-3942.

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

### **Subscriptions**

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Lists of members**

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month. A list arranged by riding and including ministerial responsibilities appears on subsequent Mondays.

### **Le Journal des débats sur votre ordinateur**

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Ces documents, télédiffusés par la Chaîne parlementaire de l'Ontario, sont captés par un décodeur particulier et convertis en données que votre ordinateur pourra stocker. En vous servant de n'importe quel logiciel de traitement de texte basé sur le système d'exploitation à disque (DOS), vous pourrez récupérer les documents et y faire une recherche de mots, les imprimer ou les sauvegarder. L'utilisation de fontes et points de caractères convenables vous permettra reproduire la version imprimée officielle. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

### **Renseignements sur l'Index**

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

### **Abonnements**

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.

### **Listes des député(e)s**

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et dans le numéro du premier lundi de chaque mois. Par contre, une liste des circonscriptions inscrites dans un ordre alphabétique et comprenant les responsabilités ministérielles paraît tous les lundis suivants.

Tuesday 3 August 1993

The House met at 1335.

Prayers.

#### MEMBERS' STATEMENTS

##### AGRICULTURAL LAND

**Mr James J. Bradley (St Catharines):** I am rising in the House today to make a plea to the government to help save the farm land and the farmers of the Niagara region.

One can recall, having sat in this Legislature for a number of years, the pleas that were made by the then leader of the New Democratic Party, Stephen Lewis, and the many stories that appeared in the *Globe and Mail* and the many programs on the CBC that talked about the loss of farm land in the Niagara region, farm land which is unique because of the soil and the climatic conditions.

Also, during the last election campaign, we had a visit of then opposition leader Bob Rae to the Niagara Peninsula, where he indicated that one of his top priorities would be to save the farm land for future generations. The opportunity has been there for three years to help save the farm land.

I would like to enlist the support of the Minister of Agriculture and Food and all members of the government in promoting the conservation easements which have been proposed for farmers in the Niagara region, these easements being designed to make a viable living for those who farm the land. They are faced with very difficult competition because of changing trade laws and other reasons; they are faced with increased costs, some of those attributed to the provincial government through its taxation and other policies; and they are faced with the fact that the marketing is not, as it might be in some cases, done with the assistance of the government.

I call upon all members of the Legislature to help save both the farm land and the excellent fruit which is produced in the Niagara Peninsula by taking whatever action is necessary under the jurisdiction of the Ontario government.

##### RENT INCREASES

**Mrs Margaret Marland (Mississauga South):** Recently, the tenants who reside in two buildings in my riding of Mississauga South received notification of a 22% rent increase, retroactive for three years.

Under the Residential Rent Regulation Act, the law in place when the application was made, landlords could apply for a rent increase to cover the costs of capital expenditures they had made. Unfortunately, it took nearly three years for a decision by the Ministry of Housing's Rent Review Hearings Board. The result of this delay is that the amount of back rent owed by the tenants is unbearable. Not only did the Ministry of

Housing fail to deal expeditiously with the application; it also misled tenants. After all, in 1992, then Minister of Housing Dave Cooke wrote a letter in which he said, "No tenant in Ontario will ever again be faced with the fear or uncertainty of getting a rent increase of 15% or more in a year."

In addition, the Ministry of Housing conducted a \$1.7-million advertising campaign in 1992 to promote its rent control legislation and again told tenants that they would be protected from large rent increases.

What the advertising campaign and Mr Cooke's letter failed to point out was that applications for rent increases already in the system would be considered based on the law in place at the time of the application. Without this vital piece of information, the tenants assumed that their landlord's application would not be approved.

The incomplete and misleading information given to tenants by the Ministry of Housing, along with the backlog in the rent review system, have combined to produce large debts which will be carried by the tenants regardless of whether or not they move. I believe the Ministry of Housing and the NDP government have been negligent and therefore must accept responsibility for the tenants' debts.

##### ANTI-RACISM ACTIVITIES

**Mr Drummond White (Durham Centre):** I rise today to discuss a very serious issue that's attacking the moral fibre of our communities, that of racism and crimes that arise out of hate, and some of the local efforts in my community to combat these.

Even in the smaller towns and cities of Ontario, we are becoming accustomed to seeing newspaper reports of movements that promote racism and hate-inspired crimes. These groups are not new. Although they change their names, change their leaders and vary their targets with different generations, their messages are the same, and usually the groups meet with some acceptance from the uneducated and disadvantaged.

I am truly concerned about the proliferation of these hate groups and their ability to influence our young people. Although we do not promote obvious racism in our daily lives, the influence of organized racism is evident in children: in school yards, in washroom violence and the gangs that have become a subsociety of our school campuses today.

In Durham region, the most recent spate of activity by racist groups has met with active opposition from two specific groups: the human rights committee of the Canadian Auto Workers Local 222 and the Multicultural Council of Durham. Both groups are working hard to raise the consciousness of people to the existence of

hate groups and the threat they pose.

The CAW is circulating a petition calling for the restraint of hate groups in a number of ways. They are dedicated to equality and fairness, particularly in matters of employment. The multicultural council adamantly challenges the groups that would destroy the peaceful harmony and celebration of cultural diversity that we cherish today.

#### CLOSURE OF AGRICULTURAL COLLEGE

**Mr Murray J. Elston (Bruce):** It's my pleasure to stand in the House today, back from a brief vacation, to join with all the members of the House in expressing a sense of outrage that the Ontario Ministry of Agriculture and Food would appeal a case which has been decided against it, which was to keep the Centralia College of Agricultural Technology open.

As you may know, Mr Speaker, the OMAF people have, without any kind of criteria, basically closed both the New Liskeard and Centralia colleges in their own minds. Having accepted the young men and women for classes in the fall of this year, OMAF advised them that they would no longer participate in the Centralia forum.

Some young people took OMAF to court and in fact won the case. Now OMAF, callously and without concern for either the agricultural community or the continuing education of our young people in agricultural Ontario, has basically decided to throw away the rule book and have it its own way. They have the money. They have the power to beat down the little people in rural communities. They are holding, over the heads of all rural citizens, their blatant power, their desire to close down all of rural Ontario.

I join with all members in condemning this government's actions.

#### REGIONAL GOVERNMENT RESTRUCTURING

**Mr Norman W. Sterling (Carleton):** I rise to express my deep concern about the negative effects that amendments to the Regional Municipality of Ottawa-Carleton Act will have on local municipalities in that area. Bill 77 proposes to reduce the size of 11 municipal governments, have the regional councillors directly elected and exclude representation on the council by mayors of the region's municipalities.

In the past, regional government has been a successful partnership of local municipal interests and larger regional interests. But now, for the first time, our local government leaders will be prevented from participating at the regional level. This is a huge philosophical shift which appears to be step 1 towards one-tier government in Ottawa-Carleton.

Why is the government creating this new, more powerful level of government? Why is the province reorganizing local government so that the power to make decisions is further away from the people?

The members of this House should be aware that the

proposed legislation was not a recommendation of the Kirby report, was not recommended by any deputations to the Kirby commission and was not a recommendation of the earlier Bartlett commission.

During the Kirby commission hearings, concern was often expressed that there was a hidden agenda, that the decisions were already made, that the public consultation process was merely a public relations exercise in order to say they had the exercise. The introduction of Bill 77 is proof that these suspicions were well-founded.

#### NIAGARA RÉGION

**Ms Margaret H. Harrington (Niagara Falls):** A week ago, on a beautiful Sunday afternoon in Niagara Falls, I attended the 179th anniversary of the Battle of Lundy's Lane. In this bloody battle, fought between the US and Canada on July 25, 1814, many lives were lost. In the past 79 years, our US friends have joined members of the Lundy's Lane Historical Society to honour the fallen of this battle.

The historic and beautiful cemetery and battleground are just steps away from Lundy's Lane and Drummond Hill, at the highest point in the city. I invite you to visit this quiet spot and the Lundy's Lane Historical Museum just down the street to learn more about the early settlement of Upper Canada and also to visit two other famous battle sites nearby from the War of 1812; these are Queenston Heights, with Brock's Monument, and also the Battle of Chippewa.

Holidaying in Niagara is always very special. There is so much to do and see, whether it's the attractions, the Niagara parks, or to stay overnight and see the fireworks over the falls every Friday night. Then Saturday morning I invite you to go to the farmer's market—it is right behind the Lundy's Lane Historical Museum—to get the very freshest in Niagara fruit and vegetables, and of course this year you've probably already heard that the peaches are the best.

Make sure you stop at the Lundy's Lane Historical Museum after you've done your shopping and then enjoy a leisurely drive to the picturesque villages of Chippewa and Queenston to explore our heritage and enjoy Niagara fruit land.

#### HIGHWAY MAINTENANCE

**Mr Hugh O'Neil (Quinte):** Today my comments deal with both the Minister of Culture, Tourism and Recreation and the Minister of Transportation. As one who travels the roads of Ontario, I would like to relate some recent trends appearing in our once-great province. These are first impressions to people who are visiting us from either other parts of Ontario or from other provinces, or from other countries.

Let me say that I am appalled at the present appearance of our main highways and roads. Never have I seen such conditions. In many areas the weeds are so high they hide some of the signs. Broken tires and other

refuse litter the roadways. The grassy boulevards are uncut, flags are tattered and torn, and might I say that it is indeed a very sorry mess.

I call on the government to restore a once "Ontario—Incredible!" province to its previous beauty and splendour. Maybe it is time for some of our programs to hire these people unemployed and on welfare to put our province back in the condition we once knew it.

I might also mention that I have also been appalled at the condition of some of the lawns and the gardens in the government area. I mention the Sir James Whitney Block, and I notice they are cleaning it up today, but we have hedges that are uncut and grass that has been uncut. Let's get back to work and let's have the ministers of Transportation and Tourism do some promoting in this area.

#### HIGHWAY WIDENING

**Mr Ted Arnott (Wellington):** I rise today to urgently call upon the Minister of Transportation to ensure that planned improvements to Highway 6 through Wellington county are undertaken this year.

I have raised this issue in the Legislature many times, for the first time right in October 1990. We need improvements to Highway 6 for reasons of highway safety, for reasons of economic development and for job creation. My predecessor as the member for Wellington, Jack Johnson, first raised this issue in October 1989.

The municipal council supports it; the local residents support it; Minister, your own officials strongly support it. It's very, very important that the project be initiated this year. In January of this year it came to my attention that the Ministry of Transportation officials were identifying this as a priority project for work this year, and now we're into August and it still has not yet commenced.

The project involves resurfacing Highway 6 from county road 7 north to Fergus, widening the road and putting in passing lanes that are absolutely, essentially needed.

Minister, you must make certain that the project proceeds this year. The people of Wellington need your intervention to ensure that this project, which is so strongly supported by everyone, by your own officials, receives priority so that the needed improvements are initiated this year.

#### TORONTO ISLANDS COMMUNITY

**Mr Gordon Mills (Durham East):** I have been called upon at short notice to make a statement. I've got nothing written down, but that will not prevent me from taking to task the third party for spending thousands and thousands of taxpayers' dollars by making us be here today when we could have concluded the business on Thursday night and we could have been out of here. I just want to let the people know that they're the people who are costing thousands and thousands of dollars

while we're here today. No one would shift gears.

#### Interjections.

**The Speaker (Hon David Warner):** Order.

**Mr Mills:** They're out of control, Mr Speaker, the whole lot of them.

I want to talk about Sunday. I had the pleasure and the honour of being at Toronto Islands to celebrate with those folks the passing of the legislation that permitted them to stay in those houses.

I must say that they're a different type of people than you meet here. They're a caring sort of people, and they were friendly and they made me feel very welcome. I'm going to tell you, even the dogs were friendly. There were dogs everywhere, and the dogs were all friends. That's more than I can say for some people. It was a wonderful day, and I say to the islanders, thank you for inviting me. I enjoyed it. My wife enjoyed it. We had a wonderful time.

1350

#### STATEMENTS BY THE MINISTRY AND RESPONSES SOCIAL CONTRACT

**Hon Floyd Laughren (Minister of Finance):** I rise to report to this House the highlights of social contract agreements reached in every sector of the public service by negotiators representing our government and employer and employee groups. This is a significant accomplishment, and we all owe much to the hard work and commitment to public services shared by the participants in these talks.

We embarked on this social contract because the alternative, the loss of 20,000 to 40,000 jobs and the service cuts those jobs represent, was unacceptable. We were determined to avoid this and sought a three-year negotiated agreement with public sector employers and employees to restrain compensation costs in return for increased job security and improved workplace rights. That has been accomplished.

In each case, the agreements contain provisions meeting the \$2-billion social contract savings target. To meet that target the agreements contain, generally, wage freezes and unpaid days of leave. Many of the agreements also contain mechanisms to identify and locate cost efficiencies which can be credited towards the target.

I am also very pleased that negotiators dealt with important non-monetary issues and were able to put in place innovative features giving employees a greater voice in the decisions affecting them and the services they deliver. I am confident this will build a new kind of relationship in the workplace. The agreements also feature innovations on government restructuring. These non-monetary provisions I believe will help make government more democratic, more efficient and more responsive.

Let me start with the government's own employees, the 80,000 members of the Ontario public service. There was a target here of \$210 million. The measures improving job security and workplace democracy in this agreement are quite typical of all of them. A wide range of provisions enhancing the rights of surplus employees has been negotiated and voluntary exit opportunities, including early retirement, have been improved. Joint union-management committees dealing with waste and inefficiency will be set up, allowing employees to get their good ideas heard and acted upon.

The schools sector has 180,000 teaching and non-teaching employees working for 170 school boards. The savings target was \$425 million. In the framework covering teaching and professional staff, the parties found savings by agreeing that the anticipated increase in the number of teachers as a result of enrolment increases will be reduced by 4.7%, or about 6,000 fewer teachers to be hired than before the social contract, a major and permanent cost efficiency. There will be a redeployment plan, including regional redeployment. The non-teaching staff agreement includes a joint task force on restructuring, reskilling and redeployment, and there will be discussions with bargaining agents prior to any contracting out.

In the health sector, with 266,000 workers and a \$470-million social contract target, there are three separate agreements. The Minister of Health will be talking to you about that agreement today. In the broader health sector, the framework was signed by all employee groups and by most employer groups, the largest non-signator being the Ontario Hospital Association. However, we are confident that the framework will encourage bargaining at a local level which will involve more, if not all, employers. The agreement features three new joint structures, including, for example, a training and adjustment panel for the entire health sector. There will also be a task force to review expanded roles for registered nurses, expanded reviews of emergency services and laboratories, a review of collective bargaining structures and a system put in place to achieve cost efficiencies.

In the universities sector, with a \$90-million target and 50,000 employees, redeployment rights have been enhanced. The Broadhurst report, calling for improved openness and accountability, will be implemented by December. A review of procurement and contracting-out policies will be initiated. Whistle-blowing protection is provided. Separate job security fund language has been negotiated for the support staff.

In the colleges sector, with a \$40-million target and 32,000 employees, the employers through the Council of Regents and administrative staff have signed the framework. It is the government's hope that the framework will act as a catalyst to encourage academic and support staff to come to an agreement before August 10.

Again, redeployment rights have been enhanced, including improved job offer rights. Contracting-out and procurement policies will be reviewed, and a commitment has been made, with government support, for joint trusteeship.

The government's agencies, boards and commissions, exclusive of Ontario Hydro, have 20,000 employees, 33 employers and a combined target of \$35 million. The two separate agreements covering various agencies embrace a wide range of non-monetary measures enhancing workplace democracy, restructuring, reskilling and redeployment, as well as joint committees on productivity savings.

I have already reported to this House details of agreements reached last month with the municipalities, police and utilities; the Ontario Provincial Police, Ontario Hydro and the community services sector.

I am sure the members of this House would want to join me in congratulating the negotiators representing all parties to these talks on their efforts. Thanks to their skill and the commitment of their organizations to quality public services, jobs and services will be protected now and in the future.

**Hon Ruth Grier (Minister of Health):** I am delighted to tell the House that we have reached an agreement with the Ontario Medical Association, an agreement that will safeguard our precious health care system. The proposal encompasses a broad range of measures to meet the government's fiscal targets under both the Social Contract Act and the expenditure control plan. The proposed agreement is not final until the Ontario Medical Association membership ratifies it by August 10.

The spirit of this agreement is cooperation. Together, we will take on the challenges before us and guarantee to the people of Ontario a health system we can all continue to be proud of.

Our agreement includes innovative solutions that will improve access to medical services, increase physicians in underserviced areas, manage physician supply and distribution and contain health care costs.

To ensure equity of access to medical care to northern and rural communities, we will be offering special contracts and benefits. We will not be reducing the income of Ontario's new physicians, but we have concluded that as an interim measure it is necessary and in the public interest to regulate the growth in the number of physicians entering Ontario to practise medicine, with the objective of a national consensus on the training, supply and distribution of physicians.

We are committed to collaborating on such issues as health card fraud and appropriate utilization of medical services including overmedication.

We will be preparing amendments to Bill 50 to reflect this agreement.

I am confident we can move forward in the spirit of cooperation to implement changes that are necessary to guarantee a strong health care system for the 21st century.

I too want to pay tribute to those on both sides who have negotiated this agreement, particularly to the ministry team which worked long and very late in order to arrive at an agreement by the deadline, and it was led by Donna Segal and Eugene LeBlanc. We all owe them a debt of gratitude.

1400

**Mr Gerry Phillips (Scarborough-Agincourt):** I want to respond to the Minister of Finance's statement. I start by saying that I don't think many of us were surprised, frankly, at the outcome yesterday. Everybody who was involved, I think, realized either you get a dollar today or you get 80 cents tomorrow. People said, "Either we get a dollar today or the legislation says we get 80 cents tomorrow." So I think all of us expected exactly what happened yesterday.

I would say to the minister, though, firstly, by his own documents, I gather that we now have savings of about \$1.84 billion. There's about \$160 million of acknowledged slippage. That's the first point I want to make. We have to acknowledge and recognize that.

Secondly, I understand that of the roughly \$1.8 billion in savings, about \$700 million of that is in reduced pension contributions. That's my understanding. That's about 40% of the savings. They may be real savings, but about 40% of the savings look like they are in reduced contributions to pensions.

The risk of that, I will say to all of us, is that these are defined benefit plans. If the government is wrong, if that \$700-million contribution or a portion of it should be made and isn't made, some government in the future will have to make it up. That's the second point that we want to make. We want to be assured that it is reasonable that you can reduce the pension contributions by \$700 million, because that is, as I say, 40% of the savings.

I think the third point that the official opposition would like to make is that we have yet to see the sectoral agreements, particularly in the education field; as the Minister of Health and my colleague will comment on later, on the OMA agreement; on the college agreement.

The reason we'd like to see the sectoral agreements is that, as the minister points out here, a major saving in the education field is increased class sizes. I think many of us here in the Legislature were working to see that we reduced class sizes. As I now see from the sectoral agreement, a major saving in the cost will be increased class sizes. As I say, we will want to see those sectoral agreements and have an opportunity to comment on them.

The last thing I'd say is that I think the real proof will come obviously on August 10, when we see the local agreements that are reached. The sectoral agreements are there. Now we want to see the local agreements. In some respects there are many employee groups and employer groups that say the sectoral agreements are going to make it more difficult, not easier, for them to reach agreements. The final proof will come as the finances come in and we see what were the real savings realized through this process. We won't know that, I guess, for several months.

Those would be the comments that we in the official opposition would like to make on the Minister of Finance's statement.

**Mr Sean G. Conway (Renfrew North):** I'd like to comment briefly, on behalf of my colleagues in the Liberal opposition, about the statement made by the Minister of Health this afternoon. I'll be pursuing this in question period, so I simply want to make a couple of observations in the few moments that are left in this period of our time this afternoon.

As they say, the devil is in the details, and the Legislature of course will not be seeing the details of this arrangement, I suspect, until after adjournment some time later this month. I am pleased to see that this week the Rae government's policy is, "We will not be reducing the income of Ontario's new physicians." That's the position this week. It has changed at least twice in the past month, so who knows what it will be in a few more weeks' time.

I find interesting as well that, in light of the tentative arrangement, the minister is now talking about preparing amendments to Bill 50. It would seem to me that if there's any kind of agreement, the government, led by the minister, ought to indicate today that she and her colleagues are prepared to withdraw Bill 50, the Rae government's very controversial and intrusive health expenditure control plan. That, I think, would be a very useful addition to today's statement.

**Mr Michael D. Harris (Nipissing):** Let me first of all agree with something the Liberals have said, and that is that Bill 50 is so controversial, so divisive and unnecessary, from what we're being told by the government and the OMA, that it ought to be withdrawn and scrapped today to restore some peace and order in the health care system in this province.

Let me comment on the statement by the Treasurer. The Treasurer says this is a significant accomplishment. This concept of restraint for this government is three years too late and, for the Liberals, it's eight years too late. For the Liberals and NDP together, it's eight years too late, this concept of recognizing that you can't go on hiking spending at two or three times the rate of inflation and carrying on as if it's business as usual. I suppose for the NDP, particularly after having read An Agenda for People and looking at the record for the two

years, a significant accomplishment is recognizing that they couldn't carry on, something the Liberals didn't do.

Today, as I did when the original statement was made last February or March, I give the government the credit for recognizing that its agenda for the last 42 years has been wrong, wrongheaded, disastrous, and was contributing to the ruination of this province, as was the Liberal agenda before it. I give you credit for that, and always have.

But once you recognized you were three years too late, then you spent six months dithering around creating mass confusion and dissension instead of bringing people together. You could have passed legislation immediately, simply—and just imagine where we'd be at today—cutting everybody 5%: pass that legislation, then start the negotiations, then start the social contract discussions. Allow union leaders to come to the table improving upon the 5% cut. Allow them to help you find out how to deliver services more efficiently and allow them to keep the money.

You asked union leaders for six months to come to the table willingly, gut their own agreements, and go back to their members and say: "Look what I did. Remember what I negotiated last year? I negotiated it all away." Of course they couldn't do that.

You dithered for six months. We told you to pass the legislation first, make it simple legislation, cut everybody 5%, and then have the social contract talks on how the employers and employees could come together in a true social contract, in a true spirit of cooperation in how they can deliver services more efficiently.

Had you done that instead of your incompetent bumbling and dithering around for six months, you would not have had dissension. If you had said to the employees they could get their 5% back over the three years—for every two cents they saved, they could get a cent back on their wages—I'll bet you could have saved \$4 billion a year instead of \$2 billion at the end of three years. You would have had management and labour working together cooperatively instead of the gross dissension that you have today.

I don't think it was a significant accomplishment. Recognizing the problem and that you had to change direction was significant, and I give you credit for that. But then you carried on in the mismanagement and bungling in how you were going to carry it out and how you were going to do it. I mean, you guys can't even spend money properly and, for some reason or other, after 40 years of encouraging everybody to spend more, I guess you thought you could proceed as to how to cut.

You should have got advice. There was advice. I offered you advice from the Canadian Auto Workers, which had experience in how to downsize, be more productive, build better cars with fewer workers and achieve significant savings, but you didn't listen to me.

If there was another tragedy in this, it was that my caucus and my party offered you 42 years of experience in how to manage the affairs of this province efficiently and in a good way. We offered you help, we offered you advice, and you turned it down and went on your own silly way.

It's not a significant accomplishment. While you've dithered around and created this dissension for six months, you've done nothing about something that's equally important, and that's the upsizing, the encouragement of the private sector, the jobs, the prosperity agenda. All that has been missing while you've been in this confrontational mode with the unions.

I suggest to the Treasurer that he recommend to the Premier that you admit defeat, you can't run the province. Resign, and let's get an Ontario Progressive Conservative government back in this province, bring prosperity and hope and—

**The Speaker (Hon David Warner):** The member's time has expired.

1410

#### ORAL QUESTIONS HOSPITAL AGREEMENTS

**Mr Sean G. Conway (Renfrew North):** My question is to the Minister of Finance and it concerns the social contract. You have deemed agreements in the health sector. The health sector, of course, is very important because, all things considered, it is to make up something in the order of 23% to 25% of your total savings.

I want to ask you today, since you have deemed or designated agreements in that area, how you would comment on a situation which is as follows: One of the key employer groups in the health sector is, of course, the Ontario Hospital Association. Today, and certainly yesterday in official press releases, the Ontario Hospital Association is advising its membership not to proceed with local agreements under your sectoral agreement for a variety of reasons, and in fact the hospital association has indicated to its individual hospitals that they should now prepare their fail-safe plans, which are undoubtedly to take effect on or after August 10.

Since you have as part of your accomplishment referred to the health agreements, what do you have to say to the people of Ontario with respect to the situation within the hospital sector?

**Hon Floyd Laughren (Minister of Finance):** As with all of the designated sectoral agreements, they provide an opportunity for local agreements to be reached. They do not impose any settlements on anyone; they simply provide a lower savings target in each of those sectors at the local level. That same rule applies in the health care sector and for the hospitals of the province.

I do understand the fact that the OHA has refused to

sign the sectoral agreement. My own sense was that they should not be allowed, by themselves, to hold up the designation of that whole area for sectoral agreement purposes, which allows a lower savings target at the local level. For that reason, I went ahead and designated a sectoral agreement.

**Mr Conway:** The Ontario Hospital Association in a statement said that it would not endorse or participate in the sectoral deal for the health field because, to quote the OHA, it was "a bad deal for health care, a bad deal for hospitals, a bad deal for hospital workers and bad for all of those who use hospital services in this province." That's what the hospital association, a key part of the health field, said about the sectoral arrangement and why it wouldn't participate in it.

Treasurer, my question to you is: Assuming that they maintain that position, and that is their position as of today, seven days from August 10, what do you suppose will happen in the hospital sector on August 10 if none of the individual hospitals make any kind of local deal under this sectoral arrangement?

**Hon Mr Laughren:** First of all, if there are no local agreements at the local level, then they simply fall under the terms of the fail-safe or the Social Contract Act. That is not the end of the world. The bill was put there in the recognition that this might very well happen. But I don't think the member for Renfrew North would suggest for a minute that the health care sector, and the hospital sector included, should be exempt from the entire exercise of reducing compensation in the public sector.

I appreciate the fact that his party voted against the social contract bill, but I'd like to make a distinction. I think—and I stand to be corrected; I know the member wouldn't hesitate to correct me if I'm wrong—that they do believe that there needs to be a reduction in public sector compensation in order to help us achieve a reduction in the deficit and to make sure that we put this province back on a solid footing and, finally, that the sectoral agreements are much more than just dollar savings, that they involve a whole new approach to having employers and employees share responsibility and to have more democracy in the workplace. I think that's a very important component of the social contract.

**Mr Conway:** Mr Minister, I'm just trying to understand your accomplishment. My sense, rather like my colleague from Scarborough, is that there is both more and less to this accomplishment than meets the eye, but only time will tell.

My final question to the Minister of Finance has again to do with the social contract in the health sector. Given what the Minister of Health has announced today on behalf of your government, and given the enormous sensitivity and controversy around Bill 50, your government's health expenditure control bill, which is currently before the Legislature, the government has said in its

statement today it is prepared to consider some amendments. Would the Minister of Finance not agree that the best amendment would be a withdrawal of Bill 50 on this day to show good faith to your partners in that particular part of the health field?

**Hon Mr Laughren:** No, I wouldn't agree. First of all, withdrawal of the bill wouldn't be an amendment, and the member opposite knows that. I would simply say that Bill 50, even with amendments, is necessary in order to implement certain aspects of the arrangement with the various players in the health care sector, so I think it would be inappropriate to withdraw the bill.

#### TOBACCO SMUGGLING

**Mr Sean G. Conway (Renfrew North):** I have a second question to the Minister of Finance, and it concerns revenues, since clearly a big part of the social contract is to get our financial house in better order. My colleague the member for Cornwall, on a number of occasions in this session, has been reporting on a concern around cigarette smuggling. In fact, there has been commissioned and produced in the province a report on the incredible growth of illegal cigarettes Ontario.

I have a great deal of time for my friend from Cornwall, but I was wondering the other day just how serious the problem was, so I asked the Liberal research staff today to go out for a quick visit to areas very close to the Legislative Building to see what they could find, and they found quite a lot. They find illegal Canadian cigarettes very available, best deal in town; American cigarettes, equally available. It's a very common practice, apparently, within a shadow of this building, and I can tell you that in my part of eastern Ontario the epidemic is equally serious.

Given his concern about the budgetary situation with which he is faced, my question in this connection to the Minister of Finance is, is he aware that there has been an exponential growth in the amount of cigarette smuggling and that according to latest estimates the Ontario treasury in this fiscal year, 1993-94, will lose at least \$150 million worth of revenue because these cigarettes are flooding the province from end to end?

**Hon Floyd Laughren (Minister of Finance):** I'm sure that everything the member for Renfrew North has said doesn't surprise anyone. I agree with him completely in his comments that smuggled cigarettes are too readily available and that there has been a growth in the underground economy, especially with products such as cigarettes and alcohol. I agree with that.

The total dollars involved are difficult to get a handle on because obviously if we knew precisely, it would be much easier to do something about it. But I would say to the member opposite that we have instituted, as part of a government initiative, something called Project Fair Share, in which we increased the number of government auditors by 30%, which we think is going to bring in

about an extra \$70 million a year.

Having said that, I don't for one minute dismiss the seriousness of the underground economy and in particular of the smuggling of cigarettes. We are working as best we can with the other provinces and with the federal government to see what ways we can enforce the existing laws, because when smuggling occurs, we all lose.

**1420**

**Mr Conway:** According to a study just released by the firm of Lindquist Avey Macdonald and Baskerville, forensic and investigative accountants, some 2.3 billion cigarettes were smuggled into Ontario last year, meaning that one in six cigarettes now consumed in this province is smuggled. They estimate that has cost the province at least \$150 million annually in lost revenue, and this part of the underground economy has just skyrocketed in the last couple of years.

Is the Treasurer aware that in fiscal 1992-93 his government laid a grand total of 15 charges province-wide in this connection and that so far in this fiscal year, which admittedly now is only three or four months old, the latest information indicates that only seven charges have been laid?

**Hon Mr Laughren:** That's one of the reasons we have beefed up our auditing: to make sure, I would hope anyway, that more charges would be laid.

This really is a problem that bedevils this province, and the other provinces as well. In meetings I've had with people in Quebec, they are feeling it just as we are, only I think even more. Now, that gives me small comfort. I'm not suggesting that's a good thing or a bad thing. It is a problem that I think as a country we simply have to address. The simplistic answers that we should eliminate taxes on these products I think just doesn't wash. The taxes on these particular products are one of the ways in which we fund a higher level of public services in this province than exist in other jurisdictions, such as in the United States.

I think the answer is not as simplistic as removing taxes on these products; it really has to do more with enforcement. In that regard, we really are not casting blame here, but we really do need the assistance and the cooperation of the federal government as well.

**Mr Conway:** I appreciate that more has to be done. That's why I cite the data. In the last fiscal year, a grand total of 15 charges were laid, and this year we're on about the same path, perhaps a few more, and according to the study the problem is skyrocketing. As I say, my friend from Cornwall and I know that in my part of the Ottawa Valley it is just everywhere, and these four packages of cigarettes were not very hard to come by.

My friend the Liberal member for Scarborough-Agincourt, as is his wont, made a very good and

sensible suggestion a few weeks ago in a letter to you and I was just wondering whether or not you would be prepared to agree with Mr Phillips—or the member for Scarborough-Agincourt; I am sorry, Mr Speaker.

The Liberal member has suggested that the matter be referred as well to the standing committee on finance and economic affairs of this Legislature so that some action plan can be devised to help the government with a revenue loss that is going to be at least \$150 million this year. That probably will represent all the revenue you are going to get from taxing the auto insurance premiums of young people across the province. Are you prepared to accept the advice of the Liberal Finance critic to have this tobacco smuggling issue referred to the finance committee forthwith?

**Hon Mr Laughren:** I did appreciate Gerry's letter—I mean the letter from the member for Scarborough-Agincourt—because it was a helpful suggestion. I personally have no problems whatsoever if the finance committee decides it wants to look at that issue. I certainly wouldn't intervene, even if I had the authority to do so, to intervene in the deliberations of the finance committee. I have no problems with that suggestion. But I would simply add that it really is up to the finance committee to determine its own agenda. I wouldn't want to interfere in that, but certainly they wouldn't get any interference from me.

#### CASINO GAMBLING

**Mr Ernie L. Eves (Parry Sound):** My question is to the Minister of Consumer and Commercial Relations. Minister, in January, the Windsor police released to your ministry a report on the impact of casino gambling upon policing in the city of Windsor. At that time, your ministry asked the police not to release the report. Your reason, or excuse, was that the report might prejudice the bidding that was going on for the permanent casino process.

We have now seen the report, and page after page in that report is testimony from police in jurisdictions where gambling exists. Statistical analysis confirms that casino gambling will lead to increased crime and a very significant increase in police resources. Is not this the real reason your ministry tried to cover up that police report?

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** First of all, this ministry or any officials never tried to cover up the report. In fact, it's my understanding that the officials never directly asked the police not to release the report. What they did say was that if they did release it, we would at the same time release a report with some conflicting information to their report. They have at all times had the opportunity to release the report and chose not to for their own reasons. But I'm happy and glad to say that the report has now been released.

I'm sure that you've had a chance to review it. You

will have also noticed that the report was done, I think, last January. Since that time, some new decisions have been made about how the casino will be run. For instance, the police report says they will be responsible for internal security and background checks. That's not so; the OPP will be responsible for that.

Our report is out and we'll be sitting down again soon with the police chief to talk about where we go from here.

**Mr Eves:** In March, the ministry commissioned a report to refute the conclusions of the Windsor Police Service. That was an Ottawa-based crime consultant. Obviously, that conclusion didn't satisfy the minister, so you commissioned yet another report to discredit the Windsor Police Service report, this being an American professor to write a rebuttal, which is basically what it amounts to, to the Windsor police report. That was delivered to you in July and it was so flawed that you wouldn't even share it with the Windsor police and you wouldn't share it with the public until the opposition parties in this House fought for the release of all casino-related reports in the Legislature last week.

Those are the facts. You kept the Windsor Police Service report under wraps because you were trying to find a consultant who would discredit that report. Is that not true?

**Hon Ms Churley:** No, not at all. It is not true that this government, myself and the project team tried to keep that report from being released. It is now released. You have seen the results. Our report that I mentioned earlier has been released. I think the thing to bear in mind here is that I made a commitment and the police chief made a commitment to the people of Windsor that we would make sure the necessary police would be given to the force when the casino is open. We have now allotted 10 new police to the interim casino and they are now in training.

The project team will be sitting down and talking again to the police, and we will be negotiating and talking about the number that will be needed for the permanent casino.

**Mr Eves:** The Windsor police completed their report some four months ago, long before you introduced your casino gambling bill. Your ministry knew the conclusions of that report long before you drafted and submitted and introduced your casino gambling bill, yet you charged ahead knowing full well what that report said. You charged full-steam ahead because Floyd wanted some money. I guess that's the only premise we can come to.

You went out and hired an Ottawa consultant to try to discredit the report, but when the Ottawa consultant didn't discredit that report—and I note you haven't taken it upon yourself to release that report to the public—you decided then to hire an American professor to

discredit the report, which he does.

But one thing I don't think you've told the people is that the American professor's report is predicated on the fact that most casino patrons will get off a bus, go into the casino, gamble, get back on the bus and go home. You've been standing in this House for months now telling us that isn't the premise for the Windsor casino, that the premise is to revitalize downtown Windsor so you won't have people who just arrive on the bus and get back on the bus and go home. That's been the premise for your wanting a casino in Windsor. This whole report that you're relying on now is predicated against exactly the opposite happening. How can you have it both ways?

**Hon Ms Churley:** We have commissioned quite a few studies on many issues. I think it's important that we get it right. We will be sitting down with the police and we will be discussing with them how many extra police are necessary for Windsor.

1430

**Mr Michael D. Harris (Nipissing):** My question is to the Minister of Finance, who, as the member for Parry Sound has said, is the minister who is really responsible for the party policy flip-flop and for casino gambling coming to Windsor; it is his appetite and his cabinet's and his Premier's appetite for spending that caused the flip-flop.

To the Minister of Finance, now that finally and only because we came back today were we able to blow the cover on the Windsor police report, I want to ask you about its findings. In the conclusion, the Windsor police found that, "The impacts that will be experienced with respect to crime will be trifaceted: (1) increase in street crime activity; (2) crimes committed by casino patrons; and (3) organized crime activity." It talks about those three facets of increased activity.

Have you seen this report, Treasurer? Are you aware of the conclusions of the Windsor police report, and if you are, were you part of the cabinet decision to try to get other reports at any cost to refute them, and were you part of the coverup of this report?

**Hon Floyd Laughren (Minister of Finance):** I'll refer that question to the Minister of Consumer and Commercial Relations.

**Hon Ms Churley:** There's a myth being spread here that we should dispose of immediately. There was no coverup of this police report. The report belonged to the Windsor police and it was within their purview to release it or not release it. As you know, they wanted to bring it before their board, and they did so on July 29 and they released that report.

There's some interesting information in that report. We felt it was necessary to have a second look at that, particularly because the report was written well before some of the decisions on the casino were made—some

of those decisions, as I said earlier, around who would be doing internal security, who would be doing the background checks and that sort of thing. They will not be done directly by the Windsor police; they will be done by the OPP.

I think it's important to get as much information as we can as we proceed with this project. That's exactly what we're doing, and I'll be happy to release as much information to you and to the public as I can.

**Mr Harris:** In trying to discredit the Windsor police report—because you knew eventually it would become public; you couldn't cover it up for ever—you went on to commission more and more reports that would contradict the findings of the Windsor police. Particularly one that concerns me is a report done by a United States professor, and I would ask you this: Were you aware of or did you approve of giving that professor the criteria that most of the patrons going to the Windsor casino would be day patrons on and off the bus, not staying in Windsor, not having dinner in Windsor, not overnighting, not part of downtown revitalization? Were you aware and did you approve of those criteria being given to that US professor in your haste to contradict the Windsor police report?

**Hon Ms Churley:** There was never any intention to discredit the police report from Windsor. The intention was to gather as much information as we could on this policing question, and that is exactly what we have done. We have made it clear to the police chief of Windsor that we didn't agree. The project team made it clear from the beginning that it didn't agree with all the findings in his report, partly because there were some assumptions that were wrong in that report.

I think the project team felt it was important to look at all aspects and all possibilities of what can happen in Windsor once the casino is opened. We have to make some very serious and long-term decisions about policing and other matters in Windsor, and we're looking at all angles and all possibilities there so that when we do hire more police, we know, working with the police in Windsor, that we have the right amount. As we said, we want to keep crime to a minimum in Windsor once the casino is open.

**Mr Harris:** The question I asked you was, were you aware of the criteria to try and get a report that said crime won't be as extensive? The criteria you gave were that it would be day use; they'd be coming in and out of buses; they wouldn't be staying in Windsor. That was the simple question you refused to answer.

Let's get to the bottom of this question. Are you prepared to let the police make the policing decisions—not some professor in New York, not the politicians, but the professionals, the Windsor police? Will you commit today to accept their advice on the policing costs, the estimates today and the actual when it happens? And will you commit that out of your profits, the provincial

profits, you will pay 100% of the increased policing costs to keep the Windsor streets safe?

**Hon Ms Churley:** I find it interesting that the leader of the opposition stands up and makes all kinds of wild accusations and then chides me for not directly answering his question right away. I'm sorry, but that's not the way it works around here.

In terms of his last question, which is whether I will commit to funding 100% of the extra police force that's needed in Windsor, I don't know if he's been listening or not, but I've repeatedly said in this House, and I'll say it again, that working directly with the police and looking at all aspects and all angles of what is needed in Windsor, we will be 100% funding any extra police.

#### INTERIM WASTE AUTHORITY

**Mr Steven Offer (Mississauga North):** I have a question to the Minister of Environment and Energy. Mr Minister, you'll remember that last Thursday I brought to your attention a letter which was written by the general manager of the IWA, Erv McIntyre, and addressed to the solicitor for Superior-Crawford, Michael Jeffery, which clearly indicates that these two parties are in discussion.

Today I have another letter. This one was written last Friday, July 30, from the solicitor representing the IWA, Mr Bruce Campbell, to Mr Jeffery. It states, "The IWA is prepared to give further consideration to the Superior-Crawford proposal."

Minister, last week in your reply to my question, you stated, and I quote from Hansard, "The member also knows that there's no need for anyone to give direction to stop secret negotiations, because secret negotiations are not taking place."

The IWA has never identified the Superior-Crawford lands as a potential site for York region and Metro's waste. In light of these letters, do you stand by your statements of last Thursday and claim that no discussions are taking place between the IWA and Superior-Crawford concerning this still-undisclosed proposal?

**Hon Bud Wildman (Minister of Environment and Energy):** I fully stand by the statement I made. There are no secret negotiations.

**Mr Offer:** It's interesting that discussions between two groups, one in the ministry and one a private interest, of which the general public is unaware are not secret to that minister.

The province has invested two years in this process. Some \$30 million of taxpayers' money has been spent. Community groups have voluntarily spent many hours and their own dollars in dealing with publicly identified sites. Now we have evidence that the IWA is secretly trying to usurp the public process it has designed for itself in York region to the benefit of one particular private interest.

As the minister responsible for the IWA, do you not believe it is wrong that the IWA is secretly discussing a landfill site with a private interest on a site that is not yet known publicly and of which the community is unaware? If you believe it is wrong, as I think you will, then is it not your responsibility as the minister to instruct the IWA to stop these secret negotiations today?

**Hon Mr Wildman:** The member insists on repeating what I've already indicated to him is incorrect. The fact is that the proponents did contact the IWA. The IWA, as indicated right from the beginning of the process, said that if new information became available concerning any site, it would reconsider the inclusion or the elimination of that site. The IWA commitment to proper consideration of all areas continues.

**Mr Chris Stockwell (Etobicoke West):** You're negotiating. You're negotiating. Marco Muzzo—

**The Speaker (Hon David Warner):** Order, the member for Etobicoke West.

**Hon Mr Wildman:** I'd be happy to give the answer, if the gentleman across the way would like to hear it.

Superior-Crawford has come forward with some new technical information. They argue that the site might have sufficient capacity to be included in the IWA site search process. The IWA has some serious technical concerns regarding the feasibility of the Superior-Crawford proposal. They have advised Superior-Crawford to carry out further technical studies at its own expense.

#### BOATING SAFETY

**Mr David Turnbull (York Mills):** My question is to the Minister of Transportation. The tragic death of a Metro teenager, Sarah Devereux, last Friday in a boating accident on Lake Rosseau underscores once again the need for safety in boats on our waterways. In 1991 there were 45 accidents leading to deaths, in 1992 there were 43 deaths, and in 1993 so far there have been 25 deaths. The carnage is unacceptable. Minister, will you commit to legislation to regulate the operation of recreational water vehicles?

**Hon Gilles Pouliot (Minister of Transportation):** As always, we are saddened by yet another boating tragedy. We have a matter of jurisdiction and we at Transportation have endeavoured to write our counterpart in Ottawa, the Honourable Jean Corbeil. Licensing of boats in the waterways of Ontario, in the lakes of Ontario, is a federal responsibility. We have written again and again.

If there's anything we can do in terms of education to bring the focus home, we will, because there are far too many. We're caught in a matter of jurisdiction. We're very saddened, but it's up to the federal government, your friends, your counterparts in Ottawa, to start doing licensing and to come up with a plan of attack that will alleviate the number of fatalities.

Incidentally, fatalities are down, but each and every one brings back the subject matter, highlights it and says, "Look, we must as legislators do everything we can." We're hoping that an answer from Ottawa will give us the latitude to enter into any sort of agreement that will lessen the fatalities on our lakes and waterways.

**Mr Turnbull:** The minister's response would rather suggest that there's nothing they can do without Ottawa's help. This is a government which constantly is prepared to intrude on the affairs of other levels of government. I only have to cite, for example, the fact that they set up a committee, staffed entirely by NDP members, nobody from the opposition, to go around this province and look at the impact of NAFTA, and said in advance that it didn't matter what they heard, they were still against NAFTA. That's number one. That's clearly federal legislation.

Secondly, with respect to the so-called negative grants that they're going to charge against the Metro public schools, that is potentially unconstitutional, because they're not giving those grants. This is indirect taxation.

That shows they can do this.

When my colleague the member for Simcoe West introduced private member's legislation—

**The Speaker (Hon David Warner):** Does the member have a supplementary?

**Mr Turnbull:** Yes, I do, Mr Speaker. The member for Simcoe West brought in a private member's bill, and Mr Mills, in responding for the Ministry of Transportation, said: "We too want improved safety for everyone using Ontario's lakes, rivers and waterways. We are looking into what we can do."

Quite clearly, in the Toronto harbour and the Hamilton harbour they control licensing of water vehicles. You too can do that, Minister. Why don't you do it?

**Hon Mr Pouliot:** I'd like to remind the member opposite, with respect, that under section 91 of the Constitution, the licensing of boats is clearly and only a federal responsibility. But it doesn't mean that we're not taking our responsibilities, our obligation, very seriously. Transportation is part of a multiministerial committee; the Ministry of Natural Resources is one of them. We can register them, and we have a plan of attack, but we cannot license. It's a federal responsibility.

I've told you once, and I'm informing you again, with respect, that we're looking forward to where an agreement between—

**Mrs Margaret Marland (Mississauga South):** If it's a federal responsibility, why have you got boats involved?

**The Speaker:** Order.

**Hon Mr Pouliot:** The member for Mississauga is shouting, Mr Speaker. It doesn't become her.

**Mrs Marland:** I'm shouting because I was near—

**The Speaker:** Would the member for Mississauga South please come to order.

**Hon Mr Pouliot:** Back to boating—

**Mrs Marland:** The OPP boats enforce the law. Why are you saying it's a federal responsibility?

**The Speaker:** Order. Minister of Transportation.

**Hon Mr Pouliot:** In a perfect world, we would have a devolution, ie, where the federal jurisdiction would say, "Okay, it is now a provincial responsibility," but those subject matters have to be negotiated, they have to be arrived at. We're doing the best we can. We can do more and we shall do more, but within our jurisdiction.

#### LONG-TERM CARE

**Mr Gary Malkowski (York East):** I have a question for the Minister of Health. Given that East York is known as a model community in its delivery of services to seniors, long-term care reform is an issue of great importance to me. Since the district health councils have been given the responsibility of implementing the reforms, I am concerned that the community of East York is able to participate in developing the framework for reform.

I want to emphasize the necessity of the district health councils to address the needs and suggestions of care givers, service providers and especially the consumers. To this end, will you ensure that Metro's district health council's long-term care committee includes the participation of the community of East York so that its particular needs are met?

**Hon Ruth Grier (Minister of Health):** The member is quite correct. The framework document with respect to long-term care that I released in April does provide for the district health councils to be the lead in planning for their particular areas. The Metropolitan Toronto District Health Council commenced its planning and set up its committee shortly after the release of the framework document, and that committee has representation from a broad base of stakeholders, including representatives from service providers and consumers across Metro.

In response to the member's particular interest, the executive director of Community Care East York, one of the very excellent non-profit agencies involved in providing long-term care services, happens to be a member of the district health council long-term care committee. It's my understanding that it is the intent of the Metropolitan Toronto District Health Council to involve a broad range of stakeholders from across Metro, and they have already issued at least one newsletter communication that went to about 1,500 people and agencies as recently as last month.

**Mr Malkowski:** Can the minister ensure that East York will be actively involved in the implementation of the long-term care reforms, including the formation of the multiservice agencies?

**Hon Mrs Grier:** I think we all know that East York has a very proud record of providing community support services and has an integrated homemaker program. I think their experience will be very helpful to all of us in Metropolitan Toronto as we move forward with this very exciting and fundamental reform.

I can indeed assure the member that the skill, the knowledge and the experience of all the existing agencies is going to be vital as we plan for the multi-service agencies and in fact improve the actual delivery of services so that all of Metropolitan Toronto can benefit from some of the services that East Yorkers have had for a very long time.

#### ONTARIO ECONOMY

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Minister of Finance and has to do with the economy. Increasingly, as we look at your economic forecast for this fiscal year, the numbers that you have in the budget seem to be substantially higher now than most forecasters are predicting.

I think housing starts were around 57,000; the numbers that I've seen for the first six months indicate it may be 45,000 or so. Your gross domestic product number I think was around 3.4%, and I think most forecasters are now substantially below that. The unemployment rate you had in the budget I personally think now will be very difficult to achieve. So as we look at your forecast for the economy, the numbers you've got in there seem substantially higher.

My question is an important one for the people of Ontario. Looking now at what you see for the economy, have you concluded that you've been too optimistic in your economic outlook, and what will the impact of that be on our budget plan for this fiscal year?

1450

**Mr James J. Bradley (St Catharines):** Good question.

**Hon Floyd Laughren (Minister of Finance):** Yes, it is a good question.

The member for Scarborough-Agincourt of course would have received by now the first-quarter Ontario Finances, which was put out last week, I would assume. In that report, which is a regular report that comes out quarterly, he would know that so far in the year, on an annualized basis, generally speaking, we are on target with our revenues and expenditures. There are certain assumptions built into that, of course, that is, that the economic recovery has taken hold: somewhat fragile, a bit bumpy and slow, but nevertheless, recovery has taken hold.

At this point in time, and we did discuss this before

we released the first-quarter finances, we do not feel that it is necessary or even would make sense to revise our economic projections for this fiscal year.

**Mr Phillips:** I appreciate the comments by the minister, but I think virtually every forecaster that I've seen is well below your forecast right now on gross domestic product. I don't think there is anyone who is still predicting that Ontario will see 3.4% real growth. I think everyone is lower on housing estimates. On the unemployment numbers you've got in, I think everyone is higher than you.

My question is similar to the one I had in my first question. If you are wrong on your economic forecast, if everybody else is right and you happen to be wrong, what is your plan for the finances? Is it your plan to continue to hold to the \$9.2-billion deficit? Is that the target we should assume you will hold to, even if the economic forecast is wrong? Secondly, if you are wrong, what plans do you have to assist the private sector in getting the economy going again?

Those two things: What will you do in terms of your fiscal plans if your economic forecasts are wrong and the rest of the forecasters are right—are you going to hold to the \$9.2 billion?—and what plans do you have to assist in ensuring that the private sector is able to once again get the economy rolling?

**Hon Mr Laughren:** First of all, I'd remind the member for Scarborough-Agincourt that we were very conservative in our projections when we brought down our budget. What we said was we want to be extremely cautious, particularly on the revenue side, because we have met our expenditure targets.

Where we've been off in the last couple of years is on the revenue side, and that was because of the deterioration of the economy. So this year we were very cautious on our projected revenues. At this point in time I do not believe there's any need to revise downward.

The member for Scarborough-Agincourt lays out a number of pretty miserable hypothetical scenarios that are not very pleasant to contemplate. I would simply say to him that we don't function that way, making assumptions that the economy is going to deteriorate, therefore we've got to have in place all of these equally miserable action plans to cope with it.

Finally, I don't think the private sector out there believes that if the economy stagnates even more than it has in the last couple of years, the Ontario government can bail it out in that regard. The problem is much more profound than that and to a large extent will depend on what happens south of the border, with the growth in the economy there.

In conclusion, I would simply say that we don't believe there will be the deterioration in the economy that's hinted at by the member for Scarborough-Agincourt.

#### INTERPROVINCIAL TRADE

**Mr Norman W. Sterling (Carleton):** I will ask the Deputy Premier this question since the Minister of Economic Development and Trade is not here.

This morning the regional chairman and other politicians in the regional municipality in the Outaouais area released a report talking about construction workers in the Ottawa-Carleton area and in the Outaouais area. There are some amazing facts that come out of this report: Take away the federal civil servants in the Ottawa-Carleton-Outaouais area, and we find that there are 24,000 people coming across the bridge in Ontario to work every day and only 3,500 going the other way. That's quite amazing with regard to the fact that in the Outaouais area, you only have one third of the population. There are about 5,000 construction workers going across to Ontario and about 400 or 500 going back the other way into Quebec.

If things were equal and the balance was struck between the two provinces, it would mean that there would be 4,000 or 5,000 or 6,000 more jobs for Ontario construction workers coming from Ottawa-Carleton. That would lower the unemployment rate from about 24%, as it now stands, to somewhere around 15%, which would be equivalent to what the unemployment rate is across in the Outaouais area. They're enjoying a lower unemployment rate at the expense of construction workers in Ontario.

Madam Minister, what are you going to do about this, or Mr Minister, if you want to refer it?

**Hon Floyd Laughren (Deputy Premier):** I refer that question to the very competent Minister of Economic Development and Trade.

**Hon Frances Lankin (Minister of Economic Development and Trade):** I'm pleased to report to the member, since we've last had the opportunity to speak on this, that we have, as I indicated we would be, pursued discussions at the officials level between officials of my ministry and appropriate officials of other ministries here in Ontario with their counterparts in Quebec. There have been a series of discussions and a full meeting. There is another meeting taking place this week.

There are a number of positions Ontario has put to Quebec that we want to see resolved that deal with the issue of labour mobility, the ability for Ontario workers, for example, to be registered under the Quebec system. It deals with the ability of Ontario contractors to bid for contracts and it deals with other issues with respect to government procurement.

We hope this week to have some response from Quebec. We'll be pursuing those responses, as is appropriate, once we hear what the responses are.

**Mr Sterling:** In 1987 the unemployment rate in Quebec, in terms of construction workers, was 20% in

the Outaouais area, and Ontario was 9.7%. Since then, Ontario's unemployment rate has gone from 9.7% to 23.9% in the regional municipality of Ottawa-Carleton; meanwhile, in Quebec it has actually dropped during the recession. That's because more construction workers have come across from the province of Quebec into Ontario, and it has cost us jobs. It has cost 5,000 to 6,000 jobs in the Ottawa-Carleton area.

Will you today give me a date on which you will guarantee that this will be resolved or you will take some retaliatory measures?

**Hon Ms Lankin:** To pick a date, any date, out of the air wouldn't be very meaningful in this process. We are engaged directly in negotiations with Quebec right now. We have had the first round of meetings. We are meeting again this week to pursue those discussions.

I think the member knows well that the complicated legislative structure of the regional system of hiring in Quebec that's set in legislation around construction trade hiring is something that can't be turned around overnight. We are looking for other solutions to try to ensure equal access for Ontario workers under those same circumstances.

I would think that the member would feel very strongly that if there is a way of pursuing a resolution to this problem without erecting any further trade barriers, that is the ideal situation, and that is what we are attempting to do.

But I have been very clear with people in the Legislature and with others who have asked me and with the government of Quebec that we are in fact prepared to take action if we do not get any response from Quebec which moves to meet our concerns.

1500

#### ST MARYS PAPER

**Mr Tony Martin (Sault Ste Marie):** Our government set out on an agenda to put Ontario back to work, and one piece of that agenda is an effort to make sure we retain all those industries that are now present in our province so that when the recovery comes they will be there to take advantage.

My question is to the Minister of Economic Development and Trade. Minister, as you are no doubt aware, St Marys Paper of Sault Ste Marie went into bankruptcy at the end of April of this year. Since that time, there have been many meetings and attempts to see the company remain an ongoing enterprise. I can't stress enough the importance of this company to my area and to the province. What I would like to know from you is, what kind of role has your ministry played to date in helping to keep St Marys open?

**Hon Frances Lankin (Minister of Economic Development and Trade):** I appreciate the member's vital interest in this. This government is very concerned about St Marys Paper and the jobs that are at risk there.

Since the company went into receivership, we have been concerned and monitoring the situation and have been involved in letting parties know about the prospective purchasing of the company and the opportunity to purchase. We've certainly monitored that process.

Once a prospective buyer became clear and was involved in discussions, we had discussions with the banks to encourage them to give enough time for the prospective buyer to work out a business deal. That prospective buyer had been involved in discussions with the union in order to put together a deal so that they could go to the banks.

When that became, I guess, in difficult waters, we participated by sending in Vic Pathe, one of the deputy ministers from Labour, to be of assistance in mediating the situation there. I'm pleased to let the member know that the bank has at this point in time reviewed a tentative plan from the union and the company and has given them an extension of time in order for them to put together a business case, and we will be monitoring it over the next month.

**Mr Martin:** I'm aware that we as a government have contributed to this enterprise over the last few years and are holding a note there. What ultimately, as the representative of the ministry of this government in this exercise, do you see as a positive result to that activity?

**Hon Ms Lankin:** I think the positive result we would all want is to see the company be maintained as an ongoing concern and a provider of employment in the Sault Ste Marie area. At this point in time, I think it bodes well for the future that the banks involved have remained flexible and have given an extension in time. I think the fact that the union and the prospective buyer have reached an understanding about what the operation could look like and are working together to present a business plan to the banks also speaks well to the future.

I think the government role has been constructive in seeking extensions from the bank and sending in a mediator at the appropriate time, and in giving assurances around environmental considerations and other sorts of things. We would hope that in the end analysis this deal will come together, that the banks will support it and that the company will be able to maintain itself as an ongoing concern and operation in the Sault Ste Marie area.

#### VICTIM OF CRIME

**Mr Monte Kwinter (Wilson Heights):** I'd like to address a question to the Minister of Health. I would like to ask about the situation of Miss Sigal Peretz, 23, an Israeli national who was visiting Canada and had a valid visitor's permit issued by Immigration Canada.

On May 9, 1993, Miss Peretz was seriously injured in a random shooting while attending a Mother's Day

seen the folly of the New Democratic Party trying to do what it's doing in taking apart the health care system.

#### PICKERING AIRPORT LAND

**Mr Jim Wiseman (Durham West):** "To the Legislature of Ontario:

"Whereas the federal government intends to dispose of surplus lands on the Pickering airport site that are agriculturally rich and environmentally sensitive; and

"Whereas the residents have not been informed of the immediacy of the federal government's sale plan;

"We, the undersigned, petition the Legislature of Ontario as follows:

"Therefore, that the provincial government of Ontario request of the federal government of Canada to initiate a public review by panel of the federal Minister of the Environment to ensure an organized disposal protecting these rural resources and the community of residents there."

I affix my signature.

**Mr Larry O'Connor (Durham-York):** I've got a petition here to the Legislature of Ontario.

"Whereas the federal government intends to dispose of surplus lands on the Pickering airport site that are agriculturally rich and environmentally sensitive; and

"Whereas the residents have not been informed of the immediacy of the federal government's sale plan;

"We, the undersigned, petition the Legislature of Ontario as follows:

"Therefore, that the provincial government request of the federal government of Canada to initiate a public review by panel of the federal Minister of the Environment to ensure an organized disposal protecting these rural resources and the community of residents there," which of course includes people around the area of Altona and Glasgow.

#### ORDERS OF THE DAY

##### COUNTY OF SIMCOE ACT, 1993

##### LOI DE 1993 SUR LE COMTÉ DE SIMCOE

Mr Philip moved second reading of the following bill:

Bill 51, An Act respecting the Restructuring of the County of Simcoe / Loi concernant la restructuration du comté de Simcoe.

**The Acting Speaker (Mr Noble Villeneuve):** Would the minister have some opening remarks?

**Hon Ed Philip (Minister of Municipal Affairs):** No, Mr Speaker. I'd just urge all members to support this.

**The Acting Speaker:** Further debate? Mr Philip has moved second reading of Bill 51. Is it the pleasure of the House that the motion carry? Carried.

Shall the bill be ordered for third reading?

**Hon Brian A. Charlton (Government House Leader):** No; social development.

**The Acting Speaker:** The bill will go to the standing committee on social development.

#### ONTARIO CASINO CORPORATION ACT, 1993

##### LOI DE 1993 SUR LA SOCIÉTÉ DES CASINOS DE L'ONTARIO

Resuming the adjourned debate on the motion for second reading of Bill 8, An Act to provide for the control of casinos through the establishment of the Ontario Casino Corporation and to provide for certain other matters related to casinos / Loi prévoyant la réglementation des casinos par la création de la Société des casinos de l'Ontario et traitant de certaines autres questions relatives aux casinos.

**The Acting Speaker (Mr Noble Villeneuve):** When we last participated in this debate, the honourable member for St Catharines had completed and we were partway through questions and/or comments. The honourable member for St Catharines not being here, we shall now move to further debate.

**Mrs Margaret Marland (Mississauga South):** I'm happy to have the opportunity this afternoon just to speak briefly on Bill 8, An Act to provide for the control of casinos through the establishment of the Ontario Casino Corporation and to provide for certain other matters related to casinos. If I ever saw a misnomer, it's the title of this act.

You know, I really am amazed. I wasn't so surprised originally that the government would think of trying casinos in this province, but what I'm really amazed about is the fact that it is pursuing it in the face of such strong opposition. I even went to the trouble in my own riding, in my householder of April this year, which I circulated to every home in my riding, including a questionnaire on very serious matters before this House, to include the following question: "Should the provincial government legalize casino gambling?" The no vote in response—and I had over 1,200 responses, which is a very high response in a questionnaire—was 59% opposed to legalized casino gambling in this province in my riding of Mississauga South. I think—I know—that speaks volumes in my riding and I'm quite sure that my riding isn't any different than the majority of the other 129 ridings in this province today.

1530

We've talked a lot in the past about how lottery tickets, by the very numbers of lotteries and the different types of lottery purchase options that the public has in this province, have evolved to being a tax on the poor. That's because the majority of people who buy lottery tickets are not in the upper-income brackets; they're in the lower-income brackets. Those aren't figures from an opposition member. Those are figures from studies that the lottery corporation itself in Ontario has done.

Knowing that is the situation with the purchase of

lottery tickets, we can certainly anticipate now that the extension of yet another gambling opportunity in this province just because the Treasurer and his socialist colleagues in cabinet wish to have some other form of tax-grab income—we can certainly be sure that the people who will be affected by these lotteries will be the people who least need to be drawn into that kind of activity.

I think it was interesting that one of the areas in which our Tory leader, Mike Harris, had challenged the Premier was to allow the introduction of a casino to be determined in a referendum. In so doing, our leader, Mike Harris, cited a number of examples of US jurisdictions that have done so.

Premier Rae apparently responded at that time by saying that a municipality was free to do as it pleased but there would be no province-wide referendum. That's about as good an answer as saying, "Well, you know, a municipality is free to do as it wishes about Sunday shopping, but we're not going to ask the people in the province as a whole what their wishes are."

I think what is really significant and what is a major concern is not only the fact that we now have some very serious concerns confirmed by a police report from the Windsor Police Services Board about the added cost of policing. What really concerns me is the fact that we know the added cost of policing is because there is a very real added risk to the involvement of criminal activities associated with a casino as proposed initially in Windsor.

I have received in the last six months, since the bill was introduced—actually, I'm incorrect. The bill was first tabled in May 1993 but we've certainly talked about casinos coming to this province for more than six months. But since the time that the subject has been up for debate, I have received in my office a very large number of petitions from all kinds of groups, including some church groups and religious organizations but many other organizations as well. Obviously this level of concern is stemming from real fact and real history about what has happened in other municipalities and jurisdictions where they thought a casino was the answer to everything.

I think people only have to visit Atlantic City and look at the poverty and the conditions of that city that surround the boardwalk frontage where the casinos exist. It was supposed to bring success and financial stability to Atlantic City. They hoped that the streets would be paved with gold as a result of having casinos there. It has been anything but that. It's a perfect example of a place where people travel in to work and travel out to live at home when they're through their working obligations.

I think it's really interesting and very significant that this government didn't want to accept that report. They had to go out and get two other consultants' reports,

including one from the United States.

I guess the irony is even greater when you look at the parameters of the information that was given to the consultant from the United States. He was told in fact that the people would be bused in to Windsor and they would get off the buses and they would take part in their activities in the casino and they would get on the buses and be bused back out again. That's a bit like saying when you're trying to sell a used car that it was only driven by a little old lady once a week on Sundays to church. I mean, it is so unrealistic.

*Interjection.*

**Mrs Marland:** As the member for Elgin has just said, the little old lady perhaps even lives in Vancouver and goes to church in Toronto and uses the car only when she's in Vancouver. Correct?

Anyway, the point is that we have a tremendous concern. All the reports and the studies that we've been able to obtain support our concern for the future of this province introducing gambling casinos.

I want very quickly just to read the content of this one petition, because it involves Detroit, and I think that's very significant. This petition was one of, as I said, many that I've heard presented in this House and it says:

"Whereas the Christian is called to love of neighbour, which includes a concern for the general wellbeing of society; and

"Whereas there is a direct link between the higher availability of legalized gambling and the incidence of addictive gambling (Macdonald and Macdonald, Pathological Gambling: The Problem, Treatment and Outcome, Canadian Foundation on Compulsive Gambling); and

"Whereas the damage of addiction to gambling in individuals is compounded by the damage done to families, both emotionally and economically; and

"Whereas the gambling market is already saturated with various kinds of government-operated lotteries; and

"Whereas large-scale gambling activity invariably attracts criminal activity; and

"Whereas the citizens of Detroit have since 1976 on three occasions voted down the introduction of casinos into that city, each time with a larger majority than the time before."

I think that says it all. Isn't it ironic that the citizens of Detroit three times have had a referendum and turned down a casino, and yet now this government in its wisdom thinks that Windsor, the city at the other end of the bridge, needs a casino?

It's a sad day for this province that this is a direction this government is willing to take us. We will of course, I hope, learn when this bill goes out to committee that there are very valid arguments against introducing

casino gambling in Ontario, and I guess I can only hope perhaps that this government will listen to those people who come before the committee to review Bill 8, that the government members on that committee will not be sitting there with their blinkers on and their ear plugs in and for once will listen very intently to those people who come before the committee and express their concerns about what casino gambling would mean in Ontario in terms of an impact on the public.

There have to be other ways, I'm quite sure, that this government can generate its cash grab without a further tax on the poor, and I certainly hope this government will reconsider the passage of Bill 8 after the public has had its input through the committee stage.

1540

**The Acting Speaker:** Comments and/or questions?

**Mr Ted Arnott (Wellington):** I'm pleased to comment very briefly on the speech by my colleague the member for Mississauga South, who spoke very eloquently, as she always does, on Bill 8, this act to provide for casino gambling in Ontario, the establishment of the Windsor casino.

Representing the people of Wellington here today, I know that the majority of the people in Wellington do not support this bill either. The member talked about some of the specific concerns that she has with respect to this bill, and I share them all.

As our party's Tourism and Recreation critic, I've scrutinized this bill as well as I can. The government has said that part of the initiative, part of the reason for bringing forward this bill, part of the reason for establishing casinos in Ontario, and in Windsor specifically, would be to generate tourism benefits.

We've seen today in members' questions from the opposition the member for Parry Sound asking the Minister of Consumer and Commercial Relations questions on this issue. We've seen questions raised as to the validity of this project in terms of bringing people into Windsor as tourists, getting them to spend additional money to revitalize the downtown, and I think we've seen that the government's intent is not necessarily to promote tourism in Windsor. It's to derive as much money for their coffers so that they can spend it. I think that's very, very clearly the reason why the government has brought forward the bill, and the initial attraction to the bill by the government was to attempt to derive as much dollars in a way different than taxing.

I know the people of Wellington are very, very concerned about this government's policy on casinos. They're opposed to it. I hope that over the course of the summer hearings on Bill 8 the government will re-evaluate its position and in fact Bill 8 will not come forward in its present form.

**The Acting Speaker:** Further questions or comments? Seeing none, the honourable member for

Mississauga South has up to two minutes in response.

**Mrs Marland:** I think if this government will just once and for all listen to the police chiefs in this province and to the municipalities, then we might stand a chance of Bill 8 being withdrawn by this government. I refer to a resolution passed by the city of Mississauga at its meeting on May 25, 1992, which is now almost 15 months ago. This resolution says:

"Whereas the provincial government has indicated a strong interest in legalizing casino gambling in Ontario; and

"Whereas the introduction of casino gambling could result in increased costs to local agencies, which would be responsible for the monitoring and policing of such establishments; and

"Whereas casino gambling could result in an increase in criminal activity,

"Now therefore be it resolved that, prior to any decision to legalize casino gambling in Ontario, the provincial government enter into full consultation with police agencies and local governments to ensure that such a decision does not result in a potential increase in criminal activity or a substantial increase in costs to local agencies which would be responsible for monitoring or policing such gambling activities."

I believe that resolution says it all. This government in fact is not consulting to the degree—and as far as even listening to police organizations, police services boards and the chiefs of police association in this province, they have has gone even further. They hire consultants to come up with a report that does not agree with existing reports.

I guess they will keep asking for more and more opinions and more and more consultants' reports until they get one that agrees with them, which in fact is blatantly ignoring the people of this province and the people who speak for the people in this province.

**The Acting Speaker:** Further debate on second reading of Bill 8? If not, we will be moving to the parliamentary assistant to sum up. The honourable parliamentary assistant and member for Halton North in summarizing debate, second reading of Bill 8.

**Mr Noel Duignan (Halton North):** I think it's fair to say there has been some opposition to the government's casino initiative. However, I also think it's fair to say that much of the opposition derives from sort of the Hollywood-style view of casino gambling. As is so often the case, Hollywood's version of events doesn't match reality.

As previous speakers pointed out, gambling has been an acceptable form of entertainment in Ontario for a very long time, be it at the racetracks—and there are some 22-odd here in this province—or at a charitable night or bingo, the handle on which is somewhat over a billion dollars a year. Ontarians have always enjoyed

and appreciated the entertainment value of taking a chance.

In spite of this, some casino opponents like to conjure up the stereotype of a casino: people in trench coats, smoky back rooms, dimly lit alleys and people named Bugsy. In many cases, this is not the casino in Windsor that is being proposed. It is, in some part, a memory of a casino left over from the movies of the 1930s and 1940s. The casino that the government of Ontario is planning has nothing to do with the casinos that are found in the old movies. It is indeed very different and there's good reason for this. The government has pledged a made-in-Ontario casino that will be sensitive to the values and concerns of the people of this province. The care and diligence that have gone into the government's casino initiative are to be commended.

The government has carefully studied and analysed the way in which casinos were introduced in other jurisdictions to ensure that the mistakes that have been made in other jurisdictions, such as Nevada, are not made here. A great deal of attention has been paid to the issue of safety and security. I believe that's how it should be.

Indeed, as parliamentary assistant, I'm looking forward to the public hearings that are going to take place on this particular bill. We want to listen to the people of Ontario, whether it be in Windsor, Niagara Falls, the Sault, Ottawa or here in Toronto. I'm looking forward to that debate, I'm looking forward to suggestions from the public and I'm indeed looking forward to participating in the public hearings across this province.

**The Acting Speaker:** Ms Churley has moved second reading of Bill 8. Is it the pleasure of the House that the motion carry? Carried.

Shall the bill be ordered for third reading?

**Mr Duignan:** No, Mr Speaker, to the finance and economics committee.

**The Acting Speaker:** The bill will therefore go to the finance and economics committee.

#### ENVIRONMENTAL BILL OF RIGHTS, 1993

#### CHARTÉ DES DROITS ENVIRONNEMENTAUX DE 1993

Mr Wildman moved second reading of the following bill:

Bill 26, An Act respecting Environmental Rights in Ontario / Loi concernant les droits environnementaux en Ontario.

**Hon Bud Wildman (Minister of Environment and Energy):** It's a pleasure for me finally to rise and participate in this debate considering the commitments that this government has made to the business community and environmental groups with regard to enhancing the rights of individuals and the general public with regard to protection of the environment in this province.

Bill 26 is the most significant piece of environmental

protection legislation introduced in this Legislature in 17 years, since the introduction of the Environmental Assessment Act.

All of us in this House are aware of the tremendous commitment of my predecessor, the former Minister of Environment and now Minister of Health in this government, who even prior to the government coming into power was a strong advocate of the enhancement of environmental protection, and particularly for the rights of individuals to participate in the protection of their environment.

Ms Grier introduced a bill in opposition which gained the support of many people across the province, many groups, and was a significant commitment of the New Democratic Party in the election campaign in 1990. When we came into government, we made a commitment that we would consult widely in the further development of the legislation to ensure that we received input from as many groups as possible, from as diverse a spectrum of opinion as possible. This took some time because we were involved in a unique process of consultation.

For the first time that I'm aware of in almost 18 years of serving in this Legislature, we had a situation where a piece of legislation, which has now come before us as Bill 26, was essentially drafted by the participants from the various groups across the province: environmental groups, industry, business, as well as government.

They began of course with the legislation advocated by my colleague and they consulted widely across the province in a task force that involved a large number of representatives of the business community, as well as the environmental protection groups. As I said, this legislation, Bill 26, was drafted on the basis of the report of that task force.

#### 1550

This is a unique process, as I indicated. I don't know of many other situations where a task force has been set up representing a diversity of opinion and that the legislation was drafted specifically based on its recommendations, and then subsequent to the drafting of the legislation the task force had the opportunity to comment and to indicate that it accepted the legislation and thought it was appropriate and said it would support the legislation.

As you know, this government is committed to rebuilding the economy of this province, which we've seen suffer severe blows due to the global recession, the effects of the free trade agreement, the taxing policies of the federal government, and others, where we've seen significant eroding of the industrial base, particularly in southern Ontario, that has adversely affected communities right across the province, in the primary sector as well as in the industrial sector. So we are committed to creating jobs and we've moved significantly to produce

jobs through capital construction, to training people for new opportunities, industrial opportunities and business opportunities in the future.

But we believe as a government that if we're going to have a sustainable economy, if we're going to have sustainability of jobs, if we're going to come out of this recession in a way that we will ensure that there will be continued economic development that will benefit the communities and the people of this province, then we recognize that we must also ensure the sustainability of the environment. Without a healthy, sustainable environment we cannot have a healthy, sustainable economy.

This government does not accept what we believe is a false dichotomy that is described by many people, particularly in the media, between the environment and the economy. The economy, in our view, is indeed part of the environment. Without proper management of our resources, without the protection of our lands, waters and air, we cannot have a healthy and sustainable economic situation in the province.

If we're going to have a sustainable economy and a sustainable environment, we believe all individuals in Ontario must play a role in protecting the environment and developing a sustainable economy.

In moving second reading, I'd like to turn to some of the features of the bill and how they fulfil the principles from which it was conceived, the work done by the task force and the position put forward by my colleague Ms Grier both in opposition and then as Minister of Environment and Energy.

This bill provides the public with an opportunity to participate in environmental decision-making in instances where opportunities previously did not exist. The benefit of this process is that the public involvement will be there before decisions are made.

Oftentimes governments consult by making decisions, making recommendations and then putting them out for public comment. In this legislation, Bill 26, we're making it possible for the public to become involved at the very early stages so that it can have input prior to decisions being made. Frankly—I want to emphasize this—we believe this will mean that we will not have a situation where people will feel that they haven't been properly consulted, that they haven't been able to have input, that they haven't had their concerns dealt with, and thus will take advantage of some of the other parts of the bill which will be open to them if indeed that is the case. In fact, in most cases they will be involved early on.

This will be achieved through the establishment of an electronic registry whereby acts, policies, regulations and various approvals will be placed on a registry for public comment. It will be easily accessible to the general public as well as to business, environmental groups and any other group—labour—or other members

of the public who are interested.

This registry will give people proper notification and allow them to get involved at the early stages of the decision-making process. Citizens will be able to keep track of appeals on decisions through the registry as well. The registry will also give the public an opportunity to review and comment on draft statements of environmental values.

These statements of environmental values must be developed by 14 affected ministries of the government to act as guiding principles for taking the environment into account in making their decisions. Thus, most of the ministries that could in any way be considered to have an effect on the environment in making decisions will have to develop a statement of environmental values that they will take into account in making decisions and that the public will understand must be taken into account when decisions are made by the ministry staff.

The statement of environmental values is one way the bill increases government public access and government accountability. Another way is through the rights to request reviews of acts, policies, regulations or instruments. Individuals will have expanded rights to request reviews. This doesn't mean that they will always be carried out. It will be the responsibility of the minister responsible to decide whether or not the review requested is justified and, if it is, to proceed.

Individuals will also have expanded rights to initiate investigations when they suspect that environmental laws are being broken. Again, it will be the responsibility of the minister to determine if the infraction is indeed an infraction or if it is serious enough to warrant an investigation.

**Mr David Tilson (Dufferin-Peel):** How do you do that?

**Hon Mr Wildman:** The member asks, "How do you do that?" As the member knows, even today, without this legislation, there are countless requests by the public to the ministry to initiate investigations and the ministry responds. The ministry looks into the problem and determines whether or not an investigation is warranted, based on the information that it gathers, that is given by the individual or group that is asking for the investigation and the ministry's own data collection. That process will be formalized through this legislation.

In cases where individuals believe that the government response is inadequate and where a public resource may be harmed—let's say the individual, group or a couple of individuals have asked for an investigation and the minister has said no, he doesn't think an investigation is warranted—if the individuals involved believe that there is indeed a problem with a resource or the environment being harmed, then the bill provides members of the public with new rights to take suspected

offenders to court themselves.

This is a significant change, but I want to emphasize that the courts will remain the last resort under the Environmental Bill of Rights. The bill creates no new offences and it does not replace government enforcement with citizen policing. But it does remove the impediments that are currently existent in the law for those individuals who are concerned about the environment and think something that is being done, a law that is being broken or a regulation that is not being properly adhered to, is harming the environment and suspect there is a law being broken or a regulation not being adhered to, but cannot demonstrate that they themselves are harmed, so they can still take the matter to court.

Because of the involvement early on in the process, though, because of the opportunities through the registry for the public to be involved, because of the knowledge that business will have of this process, we believe that business and government will involve the public in such a way early on to get their input so that their concerns can be responded to, that we don't really expect there to be a significant increase in the number of court cases.

**1600**

As members will know, our investigations and enforcement branch has an excellent track record and plays an essential role in our ministry in determining how investigations should be proceeded with, and it will continue to carry out its responsibilities. We believe that the rights and the processes provided for in this legislation will enhance the ability of the investigations and enforcement branch to carry out its responsibilities.

In that regard, recently I released a report entitled *Defences Against the Environment*, showing that environmental prosecutions and convictions remain a high priority with the Ministry of Environment and Energy. In 1992, we had a record number of total dollars fined, levied: \$3.6 million. That's one third more than in 1991. Other 1992 highlights include the longest jail term ever handed out, eight months, and the largest fine ever assessed, \$364,000, for environmental offences.

Our message is simple. As one judge recently put it, we have to take the profit out of pollution. It's a basic principle that the public supports and that I think all members of the Legislature certainly support.

We will continue to build on our excellent track record by charging and prosecuting any and all polluters that we identify.

**Mr Murray J. Elston (Bruce):** I hope you're as successful as the Minister of Revenue on tobacco.

**Hon Mr Wildman:** The member opposite indicates that he hopes we're as successful as the Minister of Revenue on tobacco. The member will know that the matter to which he refers deals with international smuggling and it is not simply a matter of provincial

jurisdiction, although it is certainly of great concern to us, particularly myself in my other capacity, as minister responsible for native affairs.

In this particular case, we are dealing with provincial jurisdiction, with provincial laws and provincial regulations, and we will in fact continue to carry out the successful approach we've had.

As I've indicated in the statistics I quoted recently, 1992 over 1991, we are indeed making significant progress, not only in terms of the enforcement and investigations carried out by the ministry but, it appears to me, as an independent observer of our independent judicial system, that the judges and the courts are taking environmental infractions more seriously than they may have in the past and are using more creative ways of sentencing to ensure that culprits who are convicted do indeed lose the profit they might have gained through polluting the environment, and that they have to move to mitigate and rehabilitate any harm they've done to the environment.

Our investigations and enforcement branch will continue its work. Obviously, there are many options open to residents of the province who are concerned about the possibility of environmental harm before they themselves take advantage of the legislation we have before us, once it's passed, and initiate legal action on their own.

We believe that public involvement before decisions are made will eliminate the need for most suits, because it will mean better planning, more open planning, both by government and the private sector, and better environmental decisions by both the government and the private sector.

We don't think there will be frivolous actions, because it's significant in the legislation that we are not proposing that those who bring actions will be able to get damages awarded to them, so there will not be certainly any overt or direct economic incentive for individuals to take anyone to court, other than the protection of the sustainability of our environment and our economy for all of us and as a society.

There are some areas that have been particularly concerned about the legislation before us, particularly the farm community. They are especially concerned about potential law suits arising from opposition to their normal farming practices.

Many of us in this House who represent rural ridings are fully aware of the difficulties that farmers face when urban people move into what were previously largely rural farming areas. Often, people from the city move to rural areas because they want to enjoy pristine nature, and they aren't aware that the farm community, in producing our food, must carry out activities which are not always pleasant. For instance, there are sometimes odours that are not pleasant to the people who move in

from the city; sometimes there's noise because of operations that take place. As my colleague from the United Counties said the other day, "You've got to make hay while the sun shines," and that sometimes means working even when the sun isn't shining, late into the night when you have good weather, and this may disturb neighbours who are not involved in the agricultural industry.

I can assure the farming people and the farm groups of the province, though, that this legislation protects normal farming practices that might involve those odours, those noises, those activities, the dust and so on, as long as they are already protected under the Farm Practices Protection Act. No action may be initiated against the farmer until after a hearing is held under the Farm Practices Protection Act before the board, and that is specifically indicated in the legislation.

I think the fact that we included this provision in the legislation indicates how receptive the government was and the groups involved in the drafting of the legislation were to the concerns that were brought before us in the consultation period. The farm community, for instance, brought forward their concerns, and we specifically included in the draft legislation the reference to the Farm Practices Protection Act.

Provisions such as this emphasize that the Environmental Bill of Rights will be complementary to existing processes and does not create additional levels of procedure or bureaucracy. Some people have suggested that this might require a large staff to carry out the responsibilities under this legislation once it's passed third reading. We don't believe that is the case, and I think we can demonstrate that when we debate this later in committee.

Another important piece of the legislation deals with an important advance, which has been a significant commitment of this government in other areas as well; that is, the Environmental Bill of Rights extends existing whistle-blower protections against employer reprisal under the Environmental Protection Act to other legislation, and it contains time restrictions within which employers who are found guilty of reprisals must carry out orders of the Ontario Labour Relations Board.

At first reading, I introduced the first draft regulation under the EBR, which identified the 14 ministries and the specific acts subject to the Environment Bill of Rights. The regulation outlines the implementation schedule of the bill for the ministries.

## 1610

One of the areas where people have raised concern about the possibility of additional bureaucracy has been the office of the environmental commissioner. The key to the success of the Environmental Bill of Rights will be the office of that commissioner. The commissioner will oversee the implementation of the bill and will ensure ministerial compliance for all 14 ministries that

have to develop the statements of environmental values and then have to ensure, over the period of time that it's phased in, that their various bills, regulations, approvals and so on have to be put on the registry, will be subject to the review of the environmental commissioner.

The commissioner will serve as a watchdog for the government's environmental decision-making. For example, the bill provides opportunities for the Minister of Environment and Energy to use his or her discretion. The use of that discretion will be reviewed and reported on by the environmental commissioner. The commissioner will be responsible to report to the assembly and will table annually a report to the assembly on the compliance with the legislation. We don't believe that the commissioner will require a significantly large staff and we are confident that the commissioner will be able to carry out its very important responsibilities without developing a large bureaucracy.

I referred a moment ago to the reviews and investigations that individuals will be able to initiate. Those requests for reviews and investigations will have to go through the environmental commissioner's office to ensure that the time frames and the responsibilities of the ministries are upheld. In other words, if a couple of individuals request a review, it will go through the environmental commissioner's office, be referred to the minister, and the environmental commissioner will have the responsibility of ensuring that the appropriate minister responds in an appropriate period of time.

This office will be an independent body. It reports, as I said, to the Ontario Legislature, not to a minister of the government. It is responsible to the people of Ontario. In effect, this office will act as a voice of the public in Ontario in regard to environmental protection and environmental decision-making.

I want to emphasize one other thing in opening the debate on second reading. The provisions of the bill that I have outlined are based on a consensus which was reached by the task force. The task force represented environmental groups such as Pollution Probe, business groups such as the Canadian Manufacturers' Association, and others with very different views. I think everyone would argue that they are interested, all of them, in environmental protection, but they may have different ways of achieving that protection. They may have different views about economic development, sometimes very, very conflicting views.

What is significant for me is that this task force reached a consensus. When we announced the draft bill at the press conference, I indicated that there was a consensus and that we had the representatives of the task force with us at the press conference: environmental activists, representatives of the business community. The press wanted to ask about conflict: Did I believe that the business community could support this legislation? Wouldn't they be concerned about it? I

agreed that there might be some business representatives, there might be some companies, that would have specific concerns. But I pointed out that this was a consensus and that if the reporters were concerned about what business might think about the legislation, they could ask the representatives of business who were present with me at the press conference. Those representatives of business said this was a consensus, that they supported the legislation, wanted the legislation passed, and wanted a commitment that it would be passed this session.

As the press saw that, they thought, "Boy, this is not very good news." It's a tragedy, in my view, that there is in fact abroad a view by the media that it isn't news unless there's conflict. What is news, though, for me is that we could have so many people from government, business and the environmental community represented on the one task force and they could work through all of their differences and conflicts and come to an agreement. That is news. But unfortunately it's not seen that way by the media and some members of the business community who are responsible for disseminating the news to the public of this province.

That consensus from the task force resulted in the draft EBR, a bill that is true to the principles and recommendations of the task force and, I might say and emphasize, true to the principles and recommendations and provisions of the legislation that was drafted by my colleague Ruth Grier throughout this whole process.

I'll just wind up the beginning of my remarks by saying, all of us in this Legislature understand, I think, how this assembly works. Many in the general public don't recognize that what happens in this House is often based on negotiation, discussion and arriving at accommodations among the three political parties represented on these benches.

I must say I regret very much the machinations that have gone on in this place over the last few days that have resulted in us not being able to meet the commitment we made that we would have second reading completed and passed by the end of this session.

I regret that, because of disputes over procedure, we have not been able to meet that commitment, a commitment which I understood was a commitment of all three political parties in this House.

I recognize we do have a commitment to ensure that we can complete second reading debate when we come back in the fall session, that we can in fact complete the committee stage and third reading prior to the end of this year.

I trust the commitments that all of us have made to ensure that this legislation will pass before the end of 1993 will in fact be borne out and that we will not see a repetition of the difficulties we encountered at the last minute last week which led us to the introduction of

second reading without the completion of second reading.

I look forward to completing my remarks when we come back and sit again in this Legislature in the autumn to complete second reading debate and then move forward to the full passage of the legislation at third reading before the end of the year.

With that, I would move adjournment of the debate.

**The Acting Speaker (Mr Noble Villeneuve):** Is it the pleasure of the House that Mr Wildman's motion carry? Carried.

**Hon Brian A. Charlton (Government House Leader):** I have several motions which I need the consent of the House to deal with.

**The Acting Speaker:** Is it the pleasure of the House that the government House leader proceed with several motions? Do we have unanimous consent? Agreed.

#### STANDING COMMITTEE ON RESOURCES DEVELOPMENT

**Hon Brian A. Charlton (Government House Leader):** Firstly, I move that the subject matter of graduated licensing be referred to the standing committee on resources development for its consideration.

**The Acting Speaker (Mr Noble Villeneuve):** Is it the pleasure of the House that Mr Charlton's motion carry? Agreed.

#### COMMITTEE SITTINGS

**Hon Brian A. Charlton (Government House Leader):** Secondly, this is the motion dealing with the committee sittings during the intersession.

I move that the following committees be authorized to meet during the summer adjournment in accordance with the meeting dates specified to examine and inquire into the following matters:

Standing committee on administration of justice for four weeks commencing August 16, 1993, to consider Bill 79, An Act to provide for Employment Equity for Aboriginal People, People with Disabilities, Members of Racial Minorities and Women;

Standing committee on general government for one week commencing August 16, 1993, to consider Bill 17, An Act to provide for the Capital Investment Plan for the Government of Ontario and for certain other matters relating to financial administration, and for two weeks commencing August 23 to consider Bill 40, An Act to stimulate Economic Development through the Creation of Community Economic Development Corporations and through certain amendments to the Education Act, the Municipal Act, the Planning Act and the Parkway Belt Planning and Development Act;

Standing committee on government agencies for one week commencing September 13, 1993, to consider matters relating to its permanent order of reference as set out in standing order 106(g);

Standing committee on finance and economic affairs for four weeks commencing August 16, 1993, to consider Bill 8, An Act to provide for the control of casinos through the establishment of the Ontario Casino Corporation and to provide for certain other matters related to casinos;

Standing committee on the Legislative Assembly for one week commencing September 13, 1993, to consider matters relating to its permanent order of reference as set out in standing order 106(i);

Standing committee on public accounts for two weeks commencing September 7, 1993, to consider matters relating to its permanent order of reference as set out in standing order 106(j);

Standing committee on resources development for two weeks commencing August 23, 1993, to consider Bill 42, An Act to provide for Farm Registration and Funding for Farm Organizations that provide Education and Analysis of Farming Issues on behalf of Farmers, and for two weeks commencing September 7, 1993, to consider graduated licensing;

Standing committee on social development for one week commencing August 23, 1993, to consider Bill 51, An Act respecting the Restructuring of the County of Simcoe, and, in accordance with the schedule of meeting dates agreed to by the three party House leaders and tabled with the Clerk of the Assembly, to consider Bill 50, An Act to implement the Government's expenditure

control plan and, in that connection, to amend the Health Insurance Act and the Hospital Labour Disputes Arbitration Act;

And that committees be authorized to release their reports during the summer adjournment by depositing a copy of any report with the Clerk of the Assembly, and upon the resumption of the meetings of the House, the chairs of such committees shall bring any such reports before the House in accordance with the standing orders.

#### FALL MEETING

**Hon Brian A. Charlton (Government House Leader):** I move that when the House adjourns today, it shall stand adjourned until Monday, September 27, 1993.

**The Acting Speaker (Mr Noble Villeneuve):** Is it the pleasure of the House that the motion carry? Agreed.

**Hon Mr Charlton:** I move the adjournment of the House.

**The Acting Speaker:** Is it the pleasure of the House that the motion carry? Carried.

May I wish all members of the Legislature a good summer, what's left of it. This House stands adjourned until September 27 at 1:30 pm.

The House adjourned at 1625.

#### ERRATUM

No.	Page	Column	Line	Should read:
57B	2996	2	4	on Bill 8 and then move to the debate on Bill 26 and

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

**Lieutenant Governor/Lieutenant-gouverneur:** Lt Col The Hon/L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD

**Speaker/Président:** Hon/L'hon David Warner

**Clerk/Greffier:** Claude L. DesRosiers

**Senior Clerk Assistant and Clerk of Journals/Greffier adjoint principal et Greffier des journaux:** Alex D. McFedries

**Clerk Assistant and Clerk of Committees/Greffière adjointe et Greffière des comités:** Deborah Deller

**Sergeant at Arms/Sergent d'armes:** Thomas Stelling

Member/Député(e)	Constituency/Circonscription	Party/Parti	Other responsibilities/Autres responsabilités
Abel, Donald	Wentworth North/-Nord	ND	deputy government whip / whip adjoint du gouvernement
Akande, Zanana	St Andrew-St Patrick	ND	parliamentary assistant to the Premier / adjointe parlementaire du premier ministre
<b>Allen, Hon/L'hon Richard</b>	Hamilton West/-Ouest	ND	Minister without Portfolio, Ministry of Economic Development and Trade / ministre sans portefeuille, ministère du Développement économique et du Commerce
Arnott, Ted	Wellington	PC	Vice-Chair, standing committee on estimates / Vice-Président du Comité permanent des budgets des dépenses
Beer, Charles	York North/-Nord	L	Chair, standing committee on social development / Président du Comité permanent des affaires sociales
Bisson, Gilles	Cochrane South/-Sud	ND	parliamentary assistant to Minister of Northern Development and Mines, parliamentary assistant to minister responsible for francophone affairs / adjoint parlementaire de la ministre du Développement du Nord et des Mines, adjoint parlementaire du ministre délégué aux Affaires francophones
<b>Boyd, Hon/L'hon Marion</b>	London Centre/-Centre	ND	Attorney General, minister responsible for women's issues / procureure générale, ministre déléguée à la Condition féminine
Bradley, James J.	St Catharines	L	opposition deputy House leader / chef parlementaire adjoint de l'opposition
Brown, Michael A.	Algoma-Manitoulin	L	Chair, standing committee on general government / Président du Comité permanent des affaires gouvernementales
<b>Buchanan, Hon/L'hon Elmer</b>	Hastings-Peterborough	ND	Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation
Callahan, Robert V.	Brampton South/-Sud	L	
Caplan, Elinor	Oriole	L	
Carr, Gary	Oakville South/-Sud	PC	Progressive Conservative deputy House leader / chef parlementaire adjoint du Parti progressiste-conservateur
Carter, Jenny	Peterborough	ND	parliamentary assistant to Minister of Citizenship / adjointe parlementaire de la ministre des Affaires civiques
<b>Charlton, Hon/L'hon Brian</b>	Hamilton Mountain	ND	Chair of the Management Board of Cabinet, government House leader and minister responsible for the automobile insurance review / président du Conseil de gestion, leader parlementaire du gouvernement et délégué à l'Assurance-automobile
Chiarelli, Robert	Ottawa West/-Ouest	L	
<b>Christopherson, Hon/L'hon David</b>	Hamilton Centre/-Centre	ND	Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
<b>Churley, Hon/L'hon Marilyn</b>	Riverdale	ND	Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce
Cleary, John C.	Cornwall	L	
Conway, Sean G.	Renfrew North/-Nord	L	
<b>Cooke, Hon/L'hon David</b>	Windsor-Riverside	ND	Deputy Leader of the Opposition / chef adjoint de l'opposition
Cooper, Mike	Kitchener-Wilmot	ND	Minister of Education and Training, minister responsible for the Ontario Training and Adjustment Board / ministre de l'Éducation et de la Formation, ministre responsable du Conseil ontarien de formation et d'adaptation de la main-d'œuvre
<b>Coppens, Hon/L'hon Shirley</b>	Niagara South/-Sud	ND	parliamentary assistant to Minister of Labour; assistant government whip; Vice-Chair, standing committee on resources development / adjoint parlementaire du ministre du Travail, whip suppléant du gouvernement. Vice-Président du Comité permanent du développement des ressources
Cordiano, Joseph	Lawrence	L	Minister without Portfolio, Ministry of Culture, Tourism and Recreation / ministre sans portefeuille, ministère de la Culture, du Tourisme et des Loisirs
Cousens, W. Donald	Markham	PC	Chair, standing committee on public accounts / Président du Comité permanent des comptes publics
Cunningham, Dianne	London North/-Nord	PC	
Curling, Alvin	Scarborough North/-Nord	L	opposition deputy whip / whip adjoint de l'opposition

<b>Member/Député(e)</b>	<b>Constituency/Circonscription</b>	<b>Party/Partie</b>	<b>Other responsibilities/Autres responsabilités</b>
Dadamo, George	Windsor-Sandwich	ND	parliamentary assistant to Minister of Transportation / adjoint parlementaire du ministre des Transports
Daigeler, Hans	Nepean	L	Vice-Chair, standing committee on general government / Vice-Président du Comité permanent des affaires gouvernementales
Drainville, Dennis	Victoria-Haliburton	Ind	First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Duignan, Noel	Halton North/-Nord	ND	parliamentary assistant to Minister of Consumer and Commercial Relations / adjoint parlementaire de la ministre de la Consommation et du Commerce
Eddy, Ron	Brant-Haldimand	L	Vice-Chair, standing committee on social development / Vice-Président du Comité permanent des affaires sociales
Elston, Murray J.	Bruce	L	opposition House leader / chef parlementaire de l'opposition
Eves, Ernie	Parry Sound	PC	Progressive Conservative House leader / chef parlementaire du Parti progressiste-conservateur
<b>Farnan, Hon/L'hon Mike</b>	Cambridge	ND	Minister without Portfolio, Ministry of Education and Training; Vice-Chair, standing committee on the Legislative Assembly / ministre sans portefeuille, ministère de l'Éducation et de la Formation, Vice-Président du Comité permanent de l'Assemblée législative
Fawcett, Joan M.	Northumberland	L	
Ferguson, Will	Kitchener	Ind	
Fletcher, Derek	Guelph	ND	
Frankford, Robert	Scarborough East/-Est	ND	
<b>Gigantes, Hon/L'hon Evelyn</b>	Ottawa Centre/-Centre	ND	Minister of Housing / ministre du Logement
Grandmaître, Bernard C.	Ottawa East/-Est	L	
<b>Grier, Hon/L'hon Ruth A.</b>	Etobicoke-Lakeshore	ND	Minister of Health / ministre de la Santé
Haeck, Christel	St Catharines-Brock	ND	government whip; Chair, standing committee on regulations and private bills / whip du gouvernement, Présidente du Comité permanent des règlements et des projets de loi privés
<b>Hampton, Hon/L'hon Howard</b>	Rainy River	ND	Minister of Natural Resources / ministre des Richesses naturelles
Hansen, Ron	Lincoln	ND	Chair, standing committee on the Legislative Assembly / Président du Comité permanent de l'Assemblée législative
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	ND	
Harris, Michael	Nipissing	PC	parliamentary assistant to Minister of Housing; Vice-Chair, standing committee on administration of justice / adjointe parlementaire de la ministre du Logement, Vice-Présidente du Comité permanent de l'administration de la justice
Haslam, Karen	Perth	ND	leader of the Progressive Conservative Party / chef du Parti progressiste-conservateur
Hayes, Pat	Essex-Kent	ND	
Henderson, D. James	Etobicoke-Humber	L	
Hope, Randy R.	Chatham-Kent	ND	
Huguet, Bob	Sarnia	ND	parliamentary assistant to Minister of Environment and Energy; Chair, standing committee on resources development / adjoint parlementaire du ministre de l'Environnement et de l'Energie, Président du Comité permanent du développement des ressources
Jackson, Cameron	Burlington South/-Sud	PC	Chair, standing committee on estimates / Président du Comité permanent des budgets des dépenses
Jamison, Norm	Norfolk	ND	parliamentary assistant to Minister of Economic Development and Trade / adjoint parlementaire de la ministre du Développement économique et du Commerce
Johnson, David	Don Mills	PC	
Johnson, Paul R.	Prince Edward-Lennox-South Hastings / Prince Edward-Lennox-Hastings Sud	ND	
Jordan, W. Leo	Lanark-Renfrew	PC	parliamentary assistant to Minister of Economic Development and Trade; Chair, standing committee on finance and economic affairs / adjoint parlementaire de la ministre du Développement économique et du Commerce, Président du Comité permanent des finances et des affaires économiques

Member/Député(e)	Constituency/Circonscription	Party/Parti	Other responsibilities/Autres responsabilités
Klopp, Paul	Huron	ND	parliamentary assistant to Minister of Agriculture and Food / adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation
Kormos, Peter	Welland-Thorold	ND	
Kwinter, Monte	Wilson Heights	L	
<b>Lankin, Hon/L'hon Frances</b>	Beaches-Woodbine	ND	Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
<b>Laughren, Hon/L'hon Floyd</b>	Nickel Belt	ND	Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Lessard, Wayne	Windsor-Walkerville	ND	parliamentary assistant to Minister of Environment and Energy / adjoint parlementaire du ministre de l'Environnement et de l'Énergie
<b>Mackenzie, Hon/L'hon Bob</b>	Hamilton East/-Est	ND	Minister of Labour / ministre du Travail
MacKinnon, Ellen	Lambton	ND	Vice-Chair, standing committee on regulations and private bills / Vice-Présidente du Comité permanent des règlements et des projets de loi privés
Mahoney, Steven W.	Mississauga West/-Ouest	L	opposition chief whip / whip en chef de l'opposition
Malkowski, Gary	York East/-Est	ND	parliamentary assistant to Minister of Education and Training / adjoint parlementaire du ministre de l'Éducation et de la Formation
Mammoliti, George	Yorkview	ND	parliamentary assistant to Solicitor General and Minister of Correctional Services / adjoint parlementaire du solliciteur général et ministre des Services correctionnels
Marchese, Rosario	Fort York	ND	parliamentary assistant to the Premier, parliamentary assistant to Minister of Intergovernmental Affairs; Chair, standing committee on administration of justice / adjoint parlementaire du premier ministre, adjoint parlementaire du ministre des Affaires intergouvernementales. Président du Comité permanent de l'administration de la justice
Marland, Margaret	Mississauga South/-Sud	PC	Chair, standing committee on government agencies / Présidente du Comité permanent des organismes gouvernementaux
<b>Martel, Hon/L'hon Shelley</b>	Sudbury East/-Est	ND	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Martin, Tony	Sault Ste Marie / Sault-Sainte-Marie	ND	parliamentary assistant to Minister of Education and Training adjoint parlementaire du ministre de l'Éducation et de la Formation
Mathyssen, Irene	Middlesex	ND	parliamentary assistant to Minister of Environment and Energy / adjointe parlementaire du ministre de l'Environnement et de l'Énergie
McClelland, Carman	Brampton North/-Nord	L	
McGuinty, Dalton J.P.	Ottawa South/-Sud	L	
McLean, Allan K.	Simcoe East/-Est	PC	Vice-Chair, standing committee on government agencies / Vice-Président du Comité permanent des organismes gouvernementaux
McLeod, Lyn	Fort William	L	Leader of the Opposition / chef de l'opposition
Miclash, Frank	Kenora	L	opposition deputy whip / whip adjoint de l'opposition
Mills, Gord	Durham East/-Est	ND	parliamentary assistant to Solicitor General and Minister of Correctional Services / adjoint parlementaire du solliciteur général et ministre des Services correctionnels
Morin, Gilles E.	Carleton East/-Est	L	Deputy Speaker and Chair of the Committee of the Whole House / Vice-Président de la^S Chambre et Président du Comité plénier de l'Assemblée législative
Morrow, Mark	Wentworth East/-Est	ND	Chair, standing committee on the Ombudsman / Président du Comité permanent de l'ombudsman
Murdoch, Bill	Grey-Owen Sound	PC	
Murdock, Sharon	Sudbury	ND	parliamentary assistant to Minister of Labour / adjointe parlementaire du ministre du Travail
Murphy, Tim	St George-St David	L	
North, Peter	Elgin	ND	parliamentary assistant to Minister of Agriculture and Food / adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation
O'Connor, Larry	Durham-York	ND	parliamentary assistant to Minister of Health / adjoint parlementaire de la ministre de la Santé
O'Neil, Hugh P.	Quinte	L	
O'Neill, Yvonne	Ottawa-Rideau	L	
Offer, Steven	Mississauga North/-Nord	L	

Member/Député(e)	Constituency/Circonscription	Party/Parti	Other responsibilities/Autres responsabilités
Owens, Stephen	Scarborough Centre/-Centre	ND	parliamentary assistant to Minister of Finance / adjoint parlementaire du ministre des Finances
Perruzza, Anthony	Downsview	ND	parliamentary assistant to Chair of the Management Board of Cabinet / adjoint parlementaire du président du Conseil de gestion
<b>Philip, Hon/L'hon Ed</b>	Etobicoke-Rexdale	ND	Minister of Municipal Affairs / ministre des Affaires municipales
Phillips, Gerry	Scarborough-Agincourt	L	
<b>Pilkey, Hon/L'hon Allan</b>	Oshawa	ND	Minister without Portfolio, Ministry of Municipal Affairs / ministre sans portefeuille, ministère des Affaires municipales
Poirier, Jean	Prescott and Russell / Prescott et Russell	L	
Poole, Dianne	Eglinton	L	Vice-Chair, standing committee on public accounts / Vice-Présidente du Comité permanent des comptes publics
<b>Pouliot, Hon/L'hon Gilles</b>	Lake Nipigon/Lac-Nipigon	ND	Minister of Transportation, minister responsible for francophone affairs / ministre des Transports, ministre délégué aux Affaires francophones
<b>Rae, Hon/L'hon Bob</b>	York South/-Sud	ND	Premier, President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre, président du Conseil exécutif, ministre des Affaires gouvernementales
Ramsay, David	Timiskaming	L	
Rizzo, Tony	Oakwood	ND	government whip; Vice-Chair, standing committee on the Ombudsman / whip du gouvernement, Vice-Président du Comité permanent de l'ombudsman
Runciman, Robert W.	Leeds-Grenville	PC	Progressive Conservative chief whip / whip en chef du Parti progressiste-conservateur
Ruprecht, Tony	Parkdale	L	
<b>Silipo, Hon/L'hon Tony</b>	Dovercourt	ND	Minister of Community and Social Services / ministre des Services sociaux et communautaires
Sola, John	Mississauga East/-Est	Ind	
Sorbara, Gregory S.	York Centre/-Centre	L	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West/-Ouest	PC	
Sullivan, Barbara	Halton Centre/-Centre	L	
Sutherland, Kimble	Oxford	ND	parliamentary assistant to Minister of Finance / adjoint parlementaire du ministre des Finances
<b>Swarbrick, Hon/L'hon Anne</b>	Scarborough West/-Ouest	ND	Minister of Culture, Tourism and Recreation / ministre de la Culture, du Tourisme et des Loisirs
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	Progressive Conservative deputy whip / whip adjoint du Parti progressiste-conservateur
Villeneuve, Noble	S-D-G & East Grenville / S-D-G & Grenville-Est	PC	Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative
Ward, Brad	Brantford	ND	Minister without Portfolio, Ministry of Finance / ministre sans portefeuille, ministère des Finances
<b>Wark-Martyn, Hon/L'hon Shelley</b>	Port Arthur	ND	Minister without Portfolio, Ministry of Health / ministre sans portefeuille, ministère de la Santé
<b>Warner, Hon/L'hon David</b>	Scarborough-Ellesmere	ND	Speaker / Président
Waters, Daniel	Muskoka-Georgian Bay	ND	parliamentary assistant to Minister of Culture, Tourism and Recreation / adjoint parlementaire de la ministre de la Culture, du Tourisme et des Loisirs
Wessenger, Paul	Simcoe Centre/-Centre	ND	parliamentary assistant to Minister of Health / adjoint parlementaire de la ministre de la Santé
White, Drummond	Durham Centre/-Centre	ND	parliamentary assistant to Minister of Municipal Affairs / adjoint parlementaire du ministre des Affaires municipales
<b>Wildman, Hon/L'hon Bud</b>	Algoma	ND	Minister of Environment and Energy, minister responsible for native affairs / ministre de l'Environnement et de l'Energie, ministre délégué aux Affaires autochtones
<b>Wilson, Hon/L'hon Fred</b>	Frontenac-Addington	ND	Minister without Portfolio and chief government whip / ministre sans portefeuille et whip en chef du gouvernement
Wilson, Jim	Simcoe West/-Ouest	PC	
Wilson, Gary	Kingston and The Islands / Kingston et Les Îles	ND	parliamentary assistant to Minister of Education and Training / adjoint parlementaire du ministre de l'Éducation et de la Formation

Member/Député(e)	Constituency/Circonscription	Party/Parti	Other responsibilities/Autres responsabilités
Winninger, David	London South/-Sud	ND	parliamentary assistant to the Attorney General, parliamentary assistant to minister responsible for native affairs / adjoint parlementaire de la procureure générale, adjoint parlementaire du ministre délégué aux Affaires autochtones
Wiseman, Jim	Durham West/-Ouest	ND	parliamentary assistant to Chair of the Management Board of Cabinet; Vice-Chair, standing committee on finance and economic affairs / adjoint parlementaire du président du Conseil de gestion, Vice-Président du Comité permanent des finances et des affaires économiques
Witmer, Elizabeth Wood, Len	Waterloo North/-Nord Cochrane North/-Nord	PC ND	parliamentary assistant to Minister of Natural Resources / adjoint parlementaire du ministre des Richesses naturelles Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations / ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
<b>Ziemba, Hon/L'hon Elaine</b>	High Park-Swansea	ND	
Vacant	Essex South/-Sud		

## **STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY COMITÉS PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

### **Administration of justice/Administration de la justice**

Chair/Président: Rosario Marchese  
Vice-Chair/Vice-Présidente: Margaret H. Harrington  
Zanana L. Akande, Robert Chiarelli, Alvin Curling, Noel Duignan, Charles Harnick, Gary Malkowski, Gordon Mills, Tim Murphy, David Tilson, David Winninger  
Clerk/Greffière: Lisa Freedman

### **Estimates/Budgets des dépenses**

Chair/Président: Cameron Jackson  
Vice-Chair/Vice-Président: Ted Arnott  
Donald Abel, Gilles Bisson, Gary Carr, Murray J. Elston, Christel Haeck, Norm Jamison, Wayne Lessard, Steven W. Mahoney, David Ramsay, Jim Wiseman  
Clerk/Greffière: Tonia Grannum

### **Finance and economic affairs/**

#### **Finances et affaires économiques**

Chair/Président: Paul R. Johnson  
Vice-Chair/Vice-Président: Jim Wiseman  
Elinor Caplan, Gary Carr, W. Donald Cousens, Norm Jamison, Wayne Lessard, Monte Kwinter, Irene Mathyssen, Peter North, Gerry Phillips, Kimble Sutherland  
Clerk/Greffière: Tonia Grannum

### **General government/Affaires gouvernementales**

Chair/Président: Michael A. Brown  
Vice-Chair/Vice-Président: Hans Daigeler  
Ted Arnott, George Dadamo, Derek Fletcher, Bernard C. Grandmaître, David Johnson, George Mammoliti, Mark Morrow, Gregory S. Sorbara, Paul Wessenger, Drummond White  
Clerk/Greffière: Franco Carrozza

### **Government agencies/Organismes gouvernementaux**

Chair/Présidente: Margaret Marland  
Vice-Chair/Vice-Président: Allan K. McLean  
James J. Bradley, Jenny Carter, John C. Cleary, Alvin Curling, Robert Frankford, Margaret H. Harrington, George Mammoliti, Rosario Marchese, Daniel Waters, Elizabeth Witmer  
Clerk/Greffière: Lynn Mellor

### **Legislative Assembly/Assemblée législative**

Chair/Président: Ron Hansen  
Vice-Chair/Vice-Président: Mike Farnan  
Paul R. Johnson, Ellen MacKinnon, Irene Mathyssen, Carman McClelland, Gilles E. Morin, Stephen Owens, Norman W. Sterling, Barbara Sullivan, Noble Villeneuve, Paul Wessenger  
Clerk/Greffière: Lynn Mellor

### **Ombudsman**

Chair/Président: Mark Morrow  
Vice-Chair/Vice-Président: Tony Rizzo  
Donald Abel, Zanana L. Akande, Dennis Drainville, D. James Henderson, Tony Martin, Frank Miclash, Bill Murdoch, David Ramsay, Chris Stockwell, Gary Wilson, Clerk/Greffier: Franco Carrozza

### **Public accounts/Comptes publics**

Chair/Président: Joseph Cordiano  
Vice-Chair/Vice-Présidente: Dianne Poole  
Robert V. Callahan, Noel Duignan, Mike Farnan, Robert Frankford, Pat Hayes, Margaret Marland, Tim Murphy, Larry O'Connor, Anthony Perruzza, David Tilson  
Clerk/Greffière: Tannis Manikel

### **Regulations and private bills/**

#### **Règlements et projets de loi privés**

Chair/Présidente: Christel Haeck  
Vice-Chair/Vice-Présidente: Ellen MacKinnon  
Ron Eddy, Derek Fletcher, Ron Hansen, Pat Hayes, David Johnson, Leo Jordan, Gordon Mills, Hugh P. O'Neil, Anthony Perruzza, Tony Ruprecht  
Clerk/Greffière: Donna Pajeska

### **Resources development/Développement des ressources**

Chair/Président: Bob Huget  
Vice-Chair/Vice-Président: Mike Cooper  
Sean G. Conway, Joan M. Fawcett, Leo Jordan, Paul Klopp, Sharon Murdock, Steven Offer, David Turnbull, Daniel Waters, Gary Wilson, Len Wood  
Clerk/Greffière: Tannis Manikel

### **Social development/Affaires sociales**

Chair/Président: Charles Beer  
Vice-Chair/Vice-Président: Ron Eddy  
Jenny Carter, Dianne Cunningham, Randy R. Hope, Tony Martin, Dalton McGuinty, Larry O'Connor, Yvonne O'Neill, Stephen Owens, Tony Rizzo, Jim Wilson  
Clerk/Greffier: Douglas Arnott

## CONTENTS

Tuesday 3 August 1993

<b>MEMBERS' STATEMENTS</b>	
<b>Agricultural land</b>	
Mr Bradley .....	2997
<b>Rent increases</b>	
Mrs Marland .....	2997
<b>Anti-racism activities</b>	
Mr White .....	2997
<b>Closure of agricultural college</b>	
Mr Elston .....	2998
<b>Regional government restructuring</b>	
Mr Sterling .....	2998
<b>Niagara region</b>	
Ms Harrington .....	2998
<b>Highway maintenance</b>	
Mr O'Neil .....	2998
<b>Highway widening</b>	
Mr Arnott .....	2999
<b>Toronto Islands community</b>	
Mr Mills .....	2999
<b>STATEMENTS BY THE MINISTRY AND RESPONSES</b>	
<b>Social contract</b>	
Mr Laughren .....	2999
Mrs Grier .....	3000
Mr Phillips .....	3001
Mr Conway .....	3001
Mr Harris .....	3001
<b>ORAL QUESTIONS</b>	
<b>Hospital agreements</b>	
Mr Conway .....	3002
Mr Laughren .....	3002
<b>Tobacco smuggling</b>	
Mr Conway .....	3003
Mr Laughren .....	3003
<b>Casino gambling</b>	
Mr Eves .....	3004
Ms Churley .....	3004, 3005
Mr Harris .....	3005
<b>Interim Waste Authority</b>	
Mr Offer .....	3006
Mr Wildman .....	3006
<b>Boating safety</b>	
Mr Turnbull .....	3007
Mr Pouliot .....	3007
<b>Long-term care</b>	
Mr Malkowski .....	3008
Mrs Grier .....	3008
<b>Ontario economy</b>	
Mr Phillips .....	3008
Mr Laughren .....	3008
<b>Interprovincial trade</b>	
Mr Sterling .....	3009
Ms Lankin .....	3009
<b>St Marys Paper</b>	
Mr Martin .....	3010
Ms Lankin .....	3010
<b>Victim of crime</b>	
Mr Kwinter .....	3010
Mrs Grier .....	3011
<b>Landfill</b>	
Mr Stockwell .....	3011
Mr Wildman .....	3012
<b>PETITIONS</b>	
<b>Schools for the deaf and learning-disabled</b>	
Mr O'Neil .....	3012
Mr Morin .....	3012
<b>Health care</b>	
Mr Murdoch .....	3012, 3014
Mr Jordan .....	3013
Mrs Caplan .....	3013
Mr Sutherland .....	3014
Mr Elston .....	3014
<b>Pickering airport land</b>	
Mr Wiseman .....	3012, 3015
Mr O'Connor .....	3013, 3015
<b>Ontario Film Review Board</b>	
Mrs Marland .....	3013
<b>Gambling</b>	
Mr Hayes .....	3013
<b>Public services</b>	
Mr Ramsay .....	3013
<b>Casino gambling</b>	
Mrs Haslam .....	3014
Mr Duignan .....	3014
<b>Closure of agricultural college</b>	
Mr Elston .....	3014
<b>SECOND READINGS</b>	
<b>County of Simcoe Act, 1993, Bill 51</b>	
Mr Philip .....	3015
<b>Ontario Casino Corporation Act, 1993, Bill 8</b>	
Mrs Marland .....	3015, 3017
Mr Arnott .....	3017
Mr Duignan .....	3017
<b>Environmental Bill of Rights, 1993, Bill 26</b>	
Mr Wildman .....	3018
<b>GOVERNMENT MOTIONS</b>	
<b>Standing committee on resource development</b>	
Mr Charlton .....	3022
<b>Committee sittings</b>	
Mr Charlton .....	3022
<b>Fall meeting</b>	
Mr Charlton .....	3023
<b>Erratum</b>	
.....	3023

No. 59



Nº 59

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

Third Session, 35th Parliament

**Assemblée législative  
de l'Ontario**

Troisième session, 35<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

Monday 27 September 1993

**Journal  
des débats  
(Hansard)**

Lundi 27 septembre 1993

**Speaker**  
Honourable David Warner

**Président**  
L'honorable David Warner

**Clerk**  
Claude L. DesRosiers

**Greffier**  
Claude L. DesRosiers



### **Hansard on your computer**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. Sent as part of the television signal on the Ontario parliamentary channel, they are received by a special decoder and converted into data that your PC can store. Using any DOS-based word processing program, you can retrieve the documents and search, print or save them. By using specific fonts and point sizes, you can replicate the formally printed version. For a brochure describing the service, call 416-325-3942.

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

### **Subscriptions**

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Lists of members**

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month. A list arranged by riding and including ministerial responsibilities appears on subsequent Mondays.

### **Le Journal des débats sur votre ordinateur**

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Ces documents, télédiffusés par la Chaîne parlementaire de l'Ontario, sont captés par un décodeur particulier et convertis en données que votre ordinateur pourra stocker. En vous servant de n'importe quel logiciel de traitement de texte basé sur le système d'exploitation à disque (DOS), vous pourrez récupérer les documents et y faire une recherche de mots, les imprimer ou les sauvegarder. L'utilisation de fontes et points de caractères convenables vous permettra reproduire la version imprimée officielle. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

### **Renseignements sur l'Index**

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

### **Abonnements**

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.

### **Listes des député(e)s**

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et dans le numéro du premier lundi de chaque mois. Par contre, une liste des circonscriptions inscrites dans un ordre alphabétique et comprenant les responsabilités ministrielles paraît tous les lundis suivants.

Monday 27 September 1993

The House met at 1331.

Prayers.

#### MEMBERS' STATEMENTS

TOMMY JONES

**Mr Frank McIlash (Kenora):** I rise today to inform the House of the passing of former town of Dryden mayor Tommy S. Jones. Tommy passed away on September 22, 1993, after a short battle with cancer.

Tommy Jones was born in northern Ontario, Fort William, on February 14, 1913. In 1955, Tommy moved to Dryden to work with the Dryden Paper Co, assuming the position of industrial relations manager. In 1960 he was appointed mill manager, and then in 1965 became vice-president, director and resident manager of the company. His promotions took him away from Dryden for a number of years, but in 1978 he retired to return to his beloved community. In 1979 he became mayor. He was re-elected in 1982 and again in 1989.

Tommy Jones was an outstanding individual. I could go on for hours about the many contributions to a great variety of organizations that he made. I hold here a list of over 40 groups and organizations that benefited from his service: honorary aide-de-camp, president, vice-president, chairman, manager, director, commodore, and the list goes on.

All those in the House who had dealings with Mayor Jones will remember his intense determination to do what was best for his community and northwestern Ontario. I will remember him as someone who taught me a great deal about not only getting to first base but scoring that home run in the political arena.

On behalf of the House, allow me to pass on my sincere condolences to his wife Jane and their family. Tommy was an exceptional person who cared so much for the needs of others. His passing is truly a loss for the people of Dryden and northwestern Ontario.

#### MUNICIPAL FINANCES

**Mr David Turnbull (York Mills):** The taxpayers of York Mills and indeed all of Metro Toronto are being treated unfairly by the government's demands of the Metropolitan Toronto School Board under the social contract. Your demands are dubious from two points of view. There's the ethical concern of taking money that you never gave in the first place, and additionally the potential constitutionality of imposing indirect tax. Premier, as you know well, under the divisions of power in our Constitution, provinces do not have the right to impose indirect taxes.

After extensive consultation with my constituents, it is apparent that virtually all taxpayers agree that any savings achieved under the social contract belong to Metro property taxpayers and not the province.

Stop giving us the political doubletalk of negative tax grants. For years, the Metropolitan Toronto School Board has not received any transfer payments from the province. Thus, the board is not being asked to return money it received from the province, but is instead being asked to remit Metro property tax dollars.

It is apparent, by the NDP's treatment of Metro taxpayers, that your view of Metro is as a cash cow. The people of Metro are already paying over 50% of their property tax bill to education, and I know first hand that, like other Ontarians, they have reached the breaking point on taxes.

If it is your intention to create province-wide property tax pooling, I challenge you to do the honest thing and make it an election issue. I can assure you, the voters of York Mills are longing to express their displeasure with your government.

#### TERRY FOX RUN

**Mr Pat Hayes (Essex-Kent):** Today I rise to ask the House to join with me in congratulating the people of Tilbury and surrounding area for their outstanding efforts in fund-raising. I'm talking specifically about the Terry Fox Run. I know many members of this House attend various Terry Fox runs in their ridings and I'd like to take the opportunity to praise each and every individual throughout this province who puts time and effort into the annual run.

However, I believe the people of Tilbury deserve a special mention: people like 10-year-old Kelly Garant, who raised \$332; people like six-year-old Jimmy McLean, who raised \$250; people like 80-year-old Ora Rivard, who raised \$20, and people like the McKinlay family, who raised \$2,420. Also, local business works hard to raise funds, especially Ducana Windows and Doors, which raised \$10,220.

Tilbury not only organizes a Terry Fox Run; it also organizes a day of family fun, with dancing, bands, games and even face-painting and of course food. All the performers donate their time, all food is donated by local merchants and all raffle prizes are donated by local merchants. The whole community contributes to the overall amount raised.

None of this could have taken place without a great deal of organization, and I'd like to mention just two who have put their hearts and souls into this fund-raising venture: Greg O'Brien, who took a lead role this year, and Jack Busa, who unfortunately died in August of this year and was unable to see the fruition of this year's hard work.

Tilbury and the surrounding area raised \$32,000, with more pledges being collected daily. A total of \$122,000 has been raised in the last six years.

### CHILD SAFETY

**Mrs Yvonne O'Neill (Ottawa-Rideau):** I rise today to bring to the attention of the House one more example of this government's mismanagement of its responsibilities. We've become aware of what can at best be considered a case of severe irresponsibility and at worst a coverup of a criminal act.

People in eastern Ontario learned last week with a sense of severe shock that a 16-year-old ward of the Brockville Children's Aid Society had been missing for a year and this fact had not been reported to anyone, including the police. This young man was beaten to death in 1992 in Smiths Falls, a crime that has only recently come to light.

I share the shock of the community of Smiths Falls and indeed of all concerned Ontarians that a children's aid ward went missing for a year without anyone being concerned enough to write a report, indeed concerned enough to even notice.

These young people are often stereotyped as hoodlums and thieves by teachers and sometimes even by their care givers, and their concerns and their needs are often not taken seriously.

I urge the Ministry and the Minister of Community and Social Services to assure this House that this situation will not be repeated and that he will now put in place procedures to require that all children, whether they are in the care of the children's aid society or any other agency, receive the protection they deserve.

1340

### VIOLENCE AGAINST WOMEN

**Mrs Elizabeth Witmer (Waterloo North):** As we begin another session of this Legislature, I ask all of us to focus our attention on the need to do all we can to eliminate violence against women.

To that end, two important events occurred in my community last week, the Take Back The Night march and the launch of the Rose Button campaign.

Last Thursday night, women of all ages in Waterloo region marched to demonstrate for the 10th year in a row that women should be able to walk the streets safely at night.

Also, last week the December 6th Coalition of Waterloo Region officially launched its Rose Button campaign. December 6 is Canada's national day of remembrance and action to end violence against women, and to honour this day, rose buttons are being sold to raise funds for local women's shelters. I'm wearing one of them today.

The coalition began as a result of the tragic massacre in 1989 of 14 young women at the University of Montreal. To honour the memory of these women and to raise awareness of the issue of violence against women, the coalition created the rose button. It is a symbol of remembrance and a symbol of our com-

munity's support for zero tolerance of violence against women. The rose button has now become a national symbol, with the YWCA of Canada distributing the buttons from coast to coast.

As legislators, we all have a major responsibility to follow the example of these organizations and make every effort to eradicate violence against women from our society.

### GLENORA-ADOLPHUSTOWN FERRY SERVICE

**Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings):** My constituents are very angry at the government right now. They are angry because of the proposed toll for the use of the Glenora-Adolphustown ferry service. My constituents are deeply concerned about this proposal because this ferry is their lifeline.

There are farmers and other working people in my constituency who may be faced with tolls of more than \$1,000 per year because they make this trip every day. My riding is economically depressed and these people cannot afford to pay this toll.

Business owners in the town of Picton are also concerned about the impact on commerce and tourism. Many of their customers live on the other side and take the ferry to shop. These customers may go elsewhere.

Last week I told my constituents that this is part of the expenditure control plan, and I told them that I support that plan fully. They understand the need for restraint. However, my constituents are not convinced that these tolls are necessary. They do not believe that the ministry has explored all the options. They are not pleased with the lack of advance consultation on a matter that affects many people in a very profound way. On this point I concur.

This ferry is part of the very way of life of my constituents. Last Tuesday I attended a meeting in Picton and more than 400 people directed this anger at me. It was a very emotional confrontation.

I wish to convey this deep anger and resentment to the Minister of Transportation. I would like to ask that the minister reconsider the imposition of tolls on the Glenora-Adolphustown ferry or postpone the tolls until a detailed study can be undertaken to assess the impact on the daily lives of the people of Prince Edward and Lennox and Addington. Let us look at all the alternatives very carefully before acting to impose this toll.

### UNEMPLOYMENT IN ST CATHARINES

**Mr James J. Bradley (St Catharines):** The St Catharines-Niagara area now has the highest unemployment rate in the entire country, and of course that means in the province of Ontario. We have had major announcements of layoffs at General Motors and other plants in the Niagara region, and when I requested that the Premier of the province of Ontario travel to the city of Detroit and to the headquarters of General Motors to endeavour to persuade them to maintain their operations

in St Catharines, the Premier declined to do so, instead lecturing people in St Catharines about the fact that General Motors was losing money and we had to understand that there were going to be job losses.

I remind the Premier that there are close to 4,000 people who could be affected by these layoffs. Much of the operation has not been closed down to this point. In the foundry and a portion of the engine plant there are indefinite layoffs of 750 people, and now the axle operation in St Catharines could lose 800 people.

I call upon the Premier and his government to create an investment climate in this province that will encourage General Motors to maintain and expand its operations in St Catharines, and I request that the Premier intervene directly with General Motors and American Axle and Manufacturing Inc to ensure that the axle operation in St Catharines continues to operate with the workers and the facilities in our community.

#### MOOSE TAG LOTTERY

**Mr Leo Jordan (Lanark-Renfrew):** I address this statement to the Minister of Natural Resources, who is currently presiding over one of the greatest fiascos ever experienced by hunters in Ontario. Due to sheer incompetence, many hunters who were unsuccessful in last year's moose tag draw were not even placed in this year's pool. Others were placed in the pool when they shouldn't have been, and many hunters who used temporary Outdoors Cards had their applications erroneously removed from the system. Roughly 1,600 hunters in Ontario have been affected by this debacle.

I find it quite ironic that this government's revenue-grabbing Outdoors Cards system has placed them in their current predicament. The same company which took too long to process Outdoors Cards, Cards-Kestral Technology, is now mishandling this government's new moose draw system.

While the minister did finally come forward on September 17 to admit that these problems existed, his measures to rectify the problems were too little and too late. It has been reported that the minister was aware of these problems back in mid-August but failed to act.

The MNR's processing errors are so bad that many hunters who have been unjustly denied their privileges will not be processed this year, and will miss out due to poor management by this ministry.

#### PICKERING AIRPORT LAND

**Mr Jim Wiseman (Durham West):** I rise today on an issue that is of grave importance to many people in my riding. This issue concerns hundreds of families in my riding and the ridings to the north and the west. These families may soon be out of their homes, homes that they have lived in for decades simply because the federal government is looking for some spare change.

I'm talking about the Pickering airport lands. These are the lands in North Pickering, Uxbridge and

Markham that the federal Liberals tore away from the original owners 21 years ago, because they said they wanted to build an airport. There are 18,000 acres in total. It was a bitter battle back in the 1970s when families clung to their homes in the hope that the federal government would realize that it was making a big mistake.

A mistake it was. We all know the airport was never built. The site was not chosen by any logical means. It was chosen because it was politically expedient at the time. Now the lands stand as a monument to pain, suffering and broken families that the entire expropriation has caused. I know this because I was part of the battle to preserve these lands 20 years ago.

Now the federal Tories callously believe that they should dispose of one third of the land, because they say they need the money. They say this sale will net them \$60 million. It is a line item in a budget somewhere, and they insist they need to make this target, and it doesn't matter what pain will result.

This land is made up almost entirely of class 1 food land. This is a precious commodity, and any move to sell and leave it in the hands of developers must be stopped. In order to purchase a single Campbell-copter, the feds are moving forward with this misconceived plan. I only hope they come to understand what a huge mistake the sale of this land is. It is important to the tenants and to the future generations.

**Mr James J. Bradley (St Catharines):** Mr Speaker, I guess I should direct this to you as a point of order: Do you know if the Premier was informed that the House has reconvened?

**The Speaker (Hon David Warner):** I take it that the honourable member for St Catharines was informed and thus all members were informed.

#### VISITORS

**The Speaker (Hon David Warner):** I invite all members to join me in welcoming to our House and seated in the Speaker's gallery today, Mr Patrick Evans, the consul general of South Africa in Toronto. He's joined by Mr David Brewis, the counsel to the consul general. Welcome to our assembly.

#### LEGISLATIVE INTERNS

**The Speaker (Hon David Warner):** Also seated in the Speaker's gallery are the legislative interns for 1993-94, and I would appreciate it if you could welcome them to our midst: Philip Bousquet, Sharon Cardash, Vito Ciraco, Rod Cumming, Wendy Martin, Karen Murray, Robert Nicol and Christine Tovee. Please welcome these very exceptional people.

#### LEGISLATIVE PAGES

**The Speaker (Hon David Warner):** I would also appreciate all members joining me in welcoming the 14th group of pages to serve in the third session of the 35th Parliament: John Arthur, Eglinton; Shaun Barry,

Sudbury East; Karen Baxter, Scarborough East; Ryan Berlin, Mississauga West; Zeyd Bismilla, Scarborough-Ellesmere; Eric Ferguson, Durham-York; Ryan Gannon, Durham Centre; Tamara Hains, St George-St David; Christa Hammond, Elgin; Evan James Hickey, Huron; Moira Klein-Swomink, S-D-G & East Grenville; Norman Lamothe, Parry Sound; Derrick Leduchowski, Rainy River; Bryanne Leuenberger, Lake Nipigon; Gillian Macdonald, Windsor-Riverside; Jeremy Mozzon, Burlington South; George Niculescu, Mississauga North; Elizabeth Paprzycki, St Catherines-Brock; Patricia Patterson, Oshawa; Kimberlee Pheonix, Don Mills; Sarah Sauder, Niagara South; Neil Shah, Cornwall; Catherine Sundeen, Etobicoke-Humber; and Annette Truax, Simcoe East. Please welcome our pages.

1350

#### RESIGNATION OF MEMBER FOR VICTORIA-HALIBURTON

**The Speaker (Hon David Warner):** I beg to inform the House that a vacancy has occurred in the membership of the House by reason of the resignation of Mr Dennis Drainville, member for the electoral district of Victoria-Haliburton. Accordingly, my warrant has been issued to the chief election officer for the issue of a writ for a by-election.

I also beg to inform the House that a vacancy has occurred in the office of the First Deputy Chair of the committee of the whole House by reason of the resignation of Dennis Drainville, member for the electoral district of Victoria-Haliburton.

#### STATEMENTS BY THE MINISTRY AND RESPONSES INTERPROVINCIAL TRADE COMMERCE INTERPROVINCIAL

**The Speaker (Hon David Warner):** The Minister of Industry, Trade and Technology.

**Hon Frances Lankin (Minister of Economic Development and Trade):** Economic Development and Trade, Mr Speaker.

**The Speaker:** My apologies.

**Hon Ms Lankin:** Members on all sides of the House will be aware of the efforts that the government and its partners in business, labour and communities are making to renew the economy and to put Ontario back to work. In fact, the Premier will be making an announcement shortly this afternoon in that regard.

However, members will also be aware of the very significant barriers to creating jobs that we face. One impediment to job creation in Ontario comes in the form of interprovincial trade barriers. Simply put, the goods and services that Ontario workers and companies produce here sometimes cannot reach markets in other provinces, and Ontario workers sometimes cannot use their skills freely to secure jobs at work sites in other provinces.

Members should also be aware of the efforts that all provincial governments are making to reduce these barriers. Ontario and other governments have committed themselves to a comprehensive process to address this issue. Negotiations continue towards an agreement that will reduce these obstacles to jobs and growth. I want to stress that we are committed to that process. Ontario will continue to negotiate with all governments towards a comprehensive interprovincial trade agreement.

However, the internal trade ministers recognize that some issues need to be addressed more immediately through bilateral discussions. From Ontario's perspective, we cannot stand idle while construction workers in Ontario suffer double-digit unemployment and are prevented from working in the province of Quebec, not when they see contracts and jobs in Ontario awarded to Quebec companies and workers.

This kind of discrimination is not new. Quebec's policies in this area have been in place since the mid-1970s and have provoked complaints from successive Ontario governments. Over the course of the summer, officials of our Ontario government negotiated with their Quebec counterparts in an effort to get Quebec to remove some of its most visible and discriminatory trade barriers, barriers that have been doing significant harm to Ontario workers and companies for many years.

At issue are four specific areas.

First is the access of Ontario workers to jobs on Quebec construction sites. In the Ottawa-Carleton region, for example, the Cornwall area and the border regions of northern Ontario, Quebec residents regularly get jobs on Ontario building sites. On the Quebec side of the border in those regions, there are few Ontario residents working on construction jobs.

The second issue concerns access of Ontario contractors to private sector construction work in Quebec. Contractors from Ontario cannot get work in Quebec unless they obtain a Quebec licence, for which they need to prove that they have a place of business in Quebec. On the Ontario side of the border, Quebec contractors do not need a licence to work.

The third issue is access of Ontario contractors to public sector construction work in Quebec. The Ontario government's construction procurement system is open to out-of-province contractors, while Quebec is virtually closed to all contractors and manufacturers of construction materials that do not have their principal place of business in Quebec.

The fourth issue concerns municipal bus purchases. The Quebec government has given an exclusive contract to a Quebec firm to supply buses to Quebec municipalities for the next three years. Even after that contract expires, Quebec has a preferential policy subsidy in place which makes it more attractive to buy Quebec-manufactured buses than buses built elsewhere. By

contrast, Ontario municipalities may purchase buses from any company they wish, and the Ministry of Transportation provides exactly the same rate of subsidy for a bus manufactured anywhere.

Negotiations over the summer on these issues have, unfortunately, made little progress. Quebec made one offer which fell far short of addressing the concerns of Ontario workers and companies. Last week, Quebec released a paper for its construction industry summit. These papers make it clear that inaction will continue as Quebec enters into a long period of internal debate and delay.

It has become clear to us that Quebec feels little incentive to address our concerns. That is why the Premier announced on September 1 our intention to level the playing field between ourselves and Quebec. We must demonstrate to Quebec why it must put an end to its discrimination against Ontario workers and companies.

Accordingly, I am announcing today a series of measures that mirror the trade barriers Quebec has in place. They duplicate for Quebec workers and firms the same discriminatory barriers currently faced by Ontarians trying to work or do business in Quebec. They level the playing field. The measures we are introducing are as follows:

Firstly, the Ministry of Transportation will be introducing immediately a policy that will discourage Ontario municipalities from buying buses made in Quebec to the same extent that Quebec discourages its municipalities from buying buses made in Ontario.

Secondly, the government will move immediately towards the goal of excluding Quebec-based contractors, subcontractors and Quebec-produced construction materials from future contracts for Ontario government projects. We will also immediately begin discussions with our transfer payment partners on how best to integrate this policy into transfer payment agreements.

Thirdly, the government will make every effort, beginning immediately, to encourage private individuals and firms to favour contractors, subcontractors and construction products from Ontario over those from the province that excludes us.

Fourthly, we are instructing that legislation be drafted and introduced this session to impose the same exclusion on Quebec workers as is now imposed on Ontario residents by Quebec's construction legislation and regulations. This will apply to all construction sites in the province, whether public or private.

In describing these measures, I want to emphasize three points. First, these measures will stay in place only so long as the Quebec measures they mirror remain in effect. As soon as Quebec opens its borders to Ontario firms and workers, Ontario will immediately abandon its reciprocal actions.

Second, none of the measures we are announcing today will have any adverse effect on any other province.

Third, none of the measures is an escalation of trade barriers. They simply level the playing field between Quebec and Ontario.

By taking these measures, we will be making it clear to the Quebec government that it has nothing to gain and quite a bit to lose by continuing to exclude Ontario firms and Ontario workers. We hope we can soon return to this House to announce that the disagreement has been resolved and that the measures announced today can be withdrawn.

Despite this disagreement, we remain closely linked to Quebec through a variety of economic, social, governmental and personal ties. Our two provinces will continue to cooperate in many areas.

I want to underline the fact that these measures are designed to support negotiations. Ontario remains committed to a negotiated settlement of all outstanding issues. We will ensure that no other province is adversely affected by our actions, so that the comprehensive interprovincial negotiations can continue. Bilateral discussions with Quebec can proceed because the two provinces will be on an equal footing and Quebec will have a greater incentive to stop discriminating. We are determined that both sets of negotiations will succeed.

I'm pleased to be joined today in the members' gallery by Mr Joe Duffy, who represents Ontario construction workers and by Mr Peter Clark, chair of the region of Ottawa-Carleton.

We are committed to the elimination of interprovincial trade barriers and we will continue to work alongside all other governments in Canada to achieve that very goal.

1400

**Mrs Lyn McLeod (Leader of the Opposition):** I do not believe that anybody in this House would call this a happy day and a happy announcement. Nevertheless, I welcome the fact that this minister has understood just how critical and how serious this issue has become.

I would repeat my belief that this is not the end goal of what all of us wanted to see achieved, and I believe that to be as true for the government as it is for the members of the opposition. That is why I say that while it is not a happy announcement, we welcome the fact that the minister has understood just how serious and indeed how urgent this situation has become, and we are indeed supportive of this government taking immediate and decisive action in the name of bringing some fairness to Ontario and Quebec trade.

I don't believe this in fact can be called an escalation of trade barriers, because clearly on Quebec's part those trade barriers already exist. It is not an equal playing field when only 300 Ontario workers are eligible to

work on Quebec construction sites while 4,000 Quebec residents are currently working in Ontario on our construction sites.

We have on a number of occasions called for action on what has become a great concern for Ontario workers. The minister will be well aware of the resolution which was brought before the House last spring by the member for Ottawa East and which received unanimous support of this House, calling on the government to take immediate action. We have since seen Ontario construction companies call for action, we have seen Ontario unions call for action and we have seen the Ottawa-Carleton region feel compelled to bring the pressure of its own resolution to bear in urging this government to act.

Il est temps que le NPD prenne des mesures pour protéger les travailleurs de l'Ontario. Nous avons besoin de mesures précises pour pousser le Québec à négocier l'élimination de ses barrières commerciales. Nous avons déjà proposé des mesures concrètes qui visent à montrer au Québec que l'Ontario est sérieux et qu'il ne peut plus tirer avantage des ces barrières commerciales injustes.

We support and we will continue to support the negotiated resolution of this issue. Our goal, and I believe the goal of all of us, is to see trade barriers removed so that Ontario companies can compete on an equal basis in Quebec as Quebec companies do here. We want Ontario workers to have the same opportunities to work in Quebec as Quebec workers have to work in Ontario.

But we have become more and more concerned that the negotiations have not been proceeding and that, by the government's own admission, there was a need to bring some real pressure to bear on that bargaining table, and we have been extremely concerned with the government's talk of the need for action throughout this summer with no action being taken. That is why I called for the government to take immediate and tough action and that is why we will support the actions that the minister has announced today, which in fact are consistent with the actions we have called for.

Minister, I urge you to follow through on what you have announced in your measures today to the point at which Quebec's trade barriers are in fact removed. But we also encourage you to press Quebec to return to the table to negotiate a removal of the trade barriers that exist. We continue to trust that, with serious negotiations on all sides, the trade barriers will indeed be removed on all sides.

**Mr Bernard Grandmaître (Ottawa East):** I want to thank the minister for responding to my resolution, which was unanimously accepted in the House. It's about time that this government accomplished something. Finally you're responding to the needs of the opposition. Maybe it's the low polls of the NDP that are

making you work a little harder, but I'm very, very pleased that the minister has moved in the right direction.

Je dois ajouter que la Ministre a très bien répondu aux exigences de l'opposition, surtout du Parti libéral, et que finalement le gouvernement de l'Ontario, une fois pour toutes, va trouver une solution au problème des irritants, des barrières interprovinciales qui existent entre nos deux provinces.

**Mr Michael D. Harris (Nipissing):** I want to say that any day in the Legislature of Ontario when the government has the courage to do something that no governing party has done for the 12½ years that I've been in the Legislature—that is, to come forward and take the kind of action that construction people, that workers have been calling for during the 12½ years that I've been elected—is a happy day, is a good day, and I congratulate the minister.

Let me also say in response to the minister that we regret it took this long. Let me thank the minister for ignoring the advice of the Liberals, who said, "Carry on with more talks, more discussions." In the resolution from the member for Ottawa East speaking against the resolution that was brought forward by the member for Carleton—and by the way, this is a happy day for the member for Carleton—they said, "Don't take this action, talk."

Bill Davis talked for four years that I was in this Legislature; David Peterson talked; you people talked for three years. Unfortunately, you talked your way through the summer, when the construction season was on. Finally, we have a government prepared to take the action required, as Frank McKenna did, and let's give him credit for being the first elected Premier and government to do so in Canada to say: "Fair is fair. If you won't let us work in Quebec, you can't work in New Brunswick. We want a level playing field."

Let me say I am disappointed that 10 members of the government voted against the resolution of the member for Carleton that called for us to do this last spring, right in the middle of the construction season. The member for Carleton was the first member to put a resolution on the floor that said, "You are going to have to retaliate if you want to get their attention." We've talked, we've been nice, we've cajoled for the 12 years I've been here, and it doesn't work. Why would it?

I also regret that five eastern Ontario members of the Liberal caucus absented themselves from that debate and refused to come into this House and support the resolution so we could have got started in the summertime.

I also regret very much that the leader of the Liberal Party waited until two weeks ago, until after the government said it was going to do just this, before she would lend her support. I guess the polls hadn't finally come

in on what the people wanted. I tell you, we need more people in this country, we need more people in this province prepared to stand up and make tough decisions and do the right things without regard to how it's going to be perceived or misinterpreted. We want the elimination, as we all do, of all interprovincial trade barriers. This will help get them between Ontario and Quebec. Well done.

**Mr Norman W. Sterling (Carleton):** I would just like to thank the minister and her government for taking this action. I'd also like to thank the Ottawa Construction Association, which realizes that there are going to be some hard decisions, hard parts in taking these kinds of actions. There's going to be displacement of workers and there are going to be a lot of unhappy people on both sides of the provincial border.

I also would like to congratulate Peter Clark in terms of undertaking a study which I believe formed a great part of the basis of making this decision, which showed that somewhere between 4,000 and 5,000 construction workers come from Quebec to Ontario whereas only 300 or 400 go the other way.

People of Ottawa-Carleton have been waiting a long time to get some kind of fairness in terms of dealing with this issue. I only say to the minister that there are many other areas which have to be explored and remedied. Madam Minister, congratulations on this day.

1410

**Mr Noble Villeneuve (S-D-G & East Grenville):** As one who represents an area along the Ontario-Quebec border, I welcome this announcement very much today, but I'll tell you, do you know where the real problem lies? Quebec in the late 1970s brought in labour legislation akin to Bill 40, and the problem is with labour unions. That's where the problem lies. Our colleagues from the province of Quebec are attempting to solve the problem, yet the labour unions will not issue working tickets within those 17 regions they've created in the province of Quebec, and therein lies the problem.

**Mr Grandmaître:** Mr Speaker, I'd like to make two points of order.

First, the leader of the third party was not in the House when I introduced my resolution. The second point is from the comments of the member from S-D-G; I want to remind him that in the 1970s it was a Conservative government that was ruling this province.

**The Speaker:** Aside from the history, it is not a point of order. The member I am sure is aware of that.

#### ORAL QUESTIONS

##### ONTARIO ECONOMY

**Mrs Lyn McLeod (Leader of the Opposition):** My first question will be to the Deputy Premier and Minister of Finance. Minister, it has now been four months since you brought in your spring budget and the prov-

ince's economy is still in a shambles. Ontario's unemployment currently is running at 10.8%. In the Niagara region, to take one region which has been particularly hard hit by this recession, we are seeing unemployment running at 15.8%, and that is the highest rate of any urban area being tracked in the country today. There are 580,000 people in this province who are out of work, and instead of a recovery we have 10,000 more people out of work than we had last spring. The Ministry of Labour statistics show that we can anticipate another 11,000 layoffs and job losses in the coming months.

Minister, what do these rather cold numbers, but real people who have lost their jobs, say to you about the failure of your budget and your government to deal with this province's economy?

**Hon Floyd Laughren (Deputy Premier and Minister of Finance):** To answer the leader of the official opposition as directly as possible—and unlike her, I will not make it a partisan response, because we're dealing with a set of problems that we're facing all across Canada, not just in Ontario—there is no question whatsoever that everyone's forecasts, both economic growth and revenues, have been off the mark last year and again this year. There's no question about that whatsoever.

What it really means is that the economic recovery—and I hasten to add that it is an economic recovery in which we find ourselves. However, there is no question that the recovery is slower than we thought it was going to be or than anybody else thought it was going to be. I'm sure the leader of the official opposition has heard speculation about the federal government revenues as well. They've got their own difficulties on the revenue side, and I'm sure subsequently on the expenditure side as well. So the recovery is slower than we had hoped it would be, but I would ask her to express some confidence in the Ontario economy and encourage investment here.

**The Speaker (Hon David Warner):** Would the minister conclude his response, please.

**Hon Mr Laughren:** There's no question that business confidence has increased substantially in the last six months to a year.

**Mrs McLeod:** It is hardly being partisan to ask this government what it is doing about the issue that matters more to the people of this province than any other single issue. I would suggest that it would be really asking for blind faith to have confidence in our economic renewal when everything this government does is calculated to make that recovery absolutely impossible. I would say to you, Minister, that it is still a fact that 350 jobs are being lost and have been lost in this province every working day since you took office.

We have now seen last spring's budget's impact, and I would suggest to the Finance minister that he is

perhaps the only one whose projections are off, as he has suggested. The Conference Board of Canada looked at the impact of your budget, and it has said that its projections for economic growth in this province were being reduced by 1% because of the impact of your budget. That 1% means 50,000 jobs, and, Treasurer, that's exactly how many jobs we said your budget was going to cost this province.

Minister, I find nothing in the leaked legislative agenda which suggests that you are going to take any steps to restore faith in the economy of this province. In fact, the only thing that we see that's an economic initiative in your three-year plan is a proposal for more tax increases, and I would suggest that surely the growth of the underground economy that we have all been so concerned with over recent months is evidence even to you that taxes are making matters worse.

Minister, I ask you: When will you understand that it is your government, your mismanagement, that is making it impossible for this economy to recover and that is seeing more jobs lost across the province? When will you admit that it is in fact your taxes that have cost this province jobs?

**Hon Floyd Laughren:** I do recall the leader of the official opposition in her criticisms of the budget, and that's fair in this partisan forum, but I think that at some point she has to come to grips with her own contradictions. She's telling us now that it's our taxes that are causing the economic problems. At a previous time she told us it was the size of the deficit. At a previous time it was that we were not doing enough to create jobs.

**Mr James J. Bradley (St Catharines):** All three.

**Hon Mr Laughren:** All three, yes, exactly. The leader of the official opposition says that our deficit's too high but we're not spending enough money. She says that our taxes are too high but our deficit's too high. I think that at some point the leader of the official opposition is not going to get away with her Kim Campbell stance and refuse to take a position on exactly what her government stands for.

**Mrs McLeod:** Minister, if you think the most basic questions about people being out of work are some kind of partisan position on my part, let me ask you then what it is that you are hearing from the 580,000 people in this province who are out of work. Let me ask you what you're hearing from people in Niagara region, because I can tell you what I've been hearing, as I've travelled the province this summer, from people in every community and every region. I can tell you that I have heard more frustration, more anxiety about the future, more anger at government mismanagement because it is costing people jobs than I have heard in about 25 years in politics.

I just want the Treasurer to hear a little bit of what

we've been hearing from people in this province, because people tell us. Here's somebody from Orillia who says, "We can't stand the level of taxation that's being imposed on us." Somebody who wrote to us from North Toronto who says: "Stop the taxes; enough is enough. Small business can't afford any more." A small contractor from Leamington who says, "The NDP government has put me out of business and that's another 15 jobs lost."

Treasurer, will you at least tell these people that you're not going to make matters worse? Will you at least make a commitment that we will not be seeing you introduce any new taxes or tax increases?

**Hon Mr Laughren:** This government brought into Ontario some major job creation programs. In very difficult times we have done more to create jobs than any other government in this country, even on a per capita basis. We have all of the Jobs Ontario programs that are out there and they are working. We are spending almost \$4 billion on capital projects that are jobs.

Of course, I know, and I don't disagree with the leader of the official opposition, that people are concerned about the level of unemployment and the future for themselves and for their children. Of course they are. We all are. But I would simply say to the leader of the official opposition, if she believes now that we should be reducing taxes, and therefore, I assume, cutting expenditures as well, why does she vote against every measure that we take in here to reduce government expenditures, such as the social contract, for example? Why does she and her party vote against everything we do to reduce expenditures at the same time she's calling for lower taxes and a lower deficit? She simply cannot have it both ways.

But I would want to, in conclusion, assure her that it is not our intention—and I said this before and the Premier said it as well, that by the tax increases in the budget this year we gave ourselves the kind of revenue base that we think will allow us to sustain a reasonable level of expenditures in the province.

1420

#### TOBACCO SMUGGLING

**Mr John C. Cleary (Cornwall):** My question is to the Solicitor General. My riding of Cornwall has been in the news for many, many months now, and especially lately, because of the smuggling of cigarettes, which costs the federal and provincial governments more than \$1 billion annually in lost revenue. However, the residents of my riding know that the issue is not just lost revenue. Smugglers are armed with automatic weapons which they have fired under the cover of night for months now. The Cornwall Civic Complex was fired upon earlier this month. Drive-by-style shootings are occurring in many areas in my riding, and some local politicians have had their warnings.

Now that I feel that the message has finally got through to the Rae government, can the Solicitor General tell me what he has done about this matter since our meeting in Ottawa on Thursday of last week, and what is the time frame for putting a stop to the smuggling before innocent victims are killed?

**Hon David Christopherson (Solicitor General):** I thank the member for the question on this extremely important and serious matter facing not just the constituents in his riding but in a number of other areas—not just across Ontario, in fact, but across Canada. I also want to thank him for the work that he did in leading the delegation from his community to meet with Bud Wildman and myself to talk about the issue at hand.

I can report to him that as a result of the meeting that we had, which I think he will agree was a very positive meeting and which ensured that all parties understood the severity of the issue and put all of the relevant factors in front of us, since that meeting I have obviously spoken with the commissioner of the OPP to debrief him personally on the aspects of the meeting and the concerns that I heard from the honourable member and his delegation.

Also, this morning I met with Doug Lewis in my office, where we discussed the issues that were at the meeting. From that meeting he's assured me that he will be providing the leadership that he needs to, given that smuggling is indeed a national issue, and that he will be very soon announcing a national strategy to deal with this issue as it relates to Canadians from the east coast through to the west coast.

We talked about the task force, the importance of the conclusions of the task force. I see the Speaker asking me to wrap up. I'll be pleased to provide further details upon a supplementary question.

**Mr Sean G. Conway (Renfrew North):** While we hear about task forces and we hear about meetings, the people in the Cornwall area know that the St Lawrence River at night in the Cornwall area is a war zone. Not since the war of 1812 has there been such activity on that stretch of the river. The Coast Guard—and it's no laughing matter—has abandoned night patrols because it feels it is unsafe. The OPP detachment at Lancaster, which is the front-line detachment for the war zone, is closed between 3 and 7 am every night of the week.

Will the Solicitor General for Ontario give the people of the Cornwall area, who are rightly concerned about their safety and about the public safety of anyone travelling through that area, at least the assurance that from this day forward the OPP detachment at Lancaster will be beefed up and opened for business around the clock?

**Hon Mr Christopherson:** One of the more detailed aspects of the discussion that we had last Thursday in Ottawa involved the Lancaster detachment and what we

may be able to do with the fact that the closure is there.

Let me first of all put it in context. It is not unusual across the province, in certain parts, due to geography, to have detachments that are closed during certain hours. It does not lower the level of service that is available to the citizens. There are services that are provided in other fashions. The member knows that and so do other members who indeed have this kind of service.

Let me say to the honourable member that in answering the direct question—let me reiterate what I said coming out of the meeting on Thursday. We have a task force that is made up of most of the police services that are involved and have a jurisdiction here. The honourable member knows that the complexity of this issue is increased by the number of jurisdictions that are involved. Out of that task force will come an action plan that will be approved and supported by all the police services. They will determine what level of resources are required from each of the forces that are participating.

The issue of the Lancaster detachment was specifically asked and I asked the commissioner to look at that as a part of that plan and I expect to have an answer forthcoming on the opening of the Lancaster detachment during the hours in question.

**Mrs Lyn McLeod (Leader of the Opposition):** I listen to the response of the Solicitor General and I try and put myself in the shoes of somebody from Cornwall and I wonder how much reassurance they would feel with that answer. This has been an issue which has been growing as a crisis for months. It's an issue which the member for Cornwall has raised repeatedly. The member for Cornwall has seen the way in which violence in his community is growing. He's seen the fact that the mayor of Cornwall has had to go into hiding. He himself has been visited in his office by people with guns.

I had an opportunity to visit Cornwall earlier in the summer and I sat down with a group of just ordinary citizens from Cornwall and I can't begin to tell you of my alarm at the fear of those citizens when they said it was not even safe for their children to go out and ride their bikes at night. I would say to the minister, as difficult as this situation may be to resolve, it is simply not enough to talk about the task force and to talk about there soon being a national strategy. Minister, we ask you again, what are you doing now? Will you tell the people of Cornwall what you are doing now to assure them of their safety?

**Hon Mr Christopherson:** Let me again reiterate that indeed I and this government and all the members on this side share the concerns that the member has raised. I can also say that coming out of our meeting on Thursday, it was indeed Mayor Martelle, it was the mayor of Cornwall himself, who said that he was

satisfied with the response that he had received from this government and the federal government. That is not to say that we now rest on our laurels and nothing else happens, but it is to say that in answer to the question the honourable member raises, the mayor, the chief magistrate responsible for that community, has said that to date, as a result of the meetings with the federal Minister of Public Security and myself, he is satisfied that the task force is in place and that we have matters in hand.

That mayor, I want to say, is expecting some results. I can say that I am expecting some results and so is the federal minister, but let's give the police the opportunity to do the job that they can do and that they can best do.

When the member previously talks about a war zone, I'd like to end my comments by saying that there's nothing more serious for us than the public safety of the citizens around the area of the river and all around Cornwall, but let's not talk about a war zone because that's what we're trying to prevent. If we allow the police to do the jobs—

**The Speaker (Hon David Warner):** Would the minister conclude his response, please.

**Hon Mr Christopherson:** —that they're there to do, we will be able to do that and we will be able to deal effectively and find a resolution to the issue.

1430

**Mr Michael D. Harris (Nipissing):** I want a follow-up to the Solicitor General. The Solicitor General, in response to the question, talked about decisions based upon geography. The laughing in the Legislature when the member for Renfrew North talked about a war zone—it is a war zone on the river. We get reports now of boats travelling 80 miles an hour on the river, firing at the shoreline with automatic rifles so that no one will come out and see who they are, at the same time as the OPP doesn't have the resources to even stay open while this war zone is going on.

This is not a new problem. We had task force hearings in Cornwall two and a half years ago when the issue of the taxation on cigarettes and booze and the smuggling—at a time when the problem was beginning to escalate—was raised to us by the residents, the citizens of Cornwall.

We were back 10 days ago with a task force on community safety and on crime in Cornwall. That night, our hearings were being held across the street from the city hall, the civic complex, and that night a bullet was fired into the civic complex.

It is a war zone. It is war going on when the mayor of a community goes into hiding. I hear laughter from members of your party and I hear you talk about decisions based upon geography. This is something that has been escalating over a period of years. I ask you, Mr Solicitor General, where are your priorities for

providing safety in the communities in and around Cornwall?

**Hon Mr Christopherson:** I thank the leader of the third party for this question. Again, I reiterate the importance that I and this government give the issue in Cornwall and in other places across Canada. Let me also make it very clear that the jurisdictional responsibility for cigarette smuggling is federal, and while this government and the OPP are quite prepared to provide the service and the resources that we need to deal with this issue, the lead must come from the federal minister.

Having said that, let me also say that in my meetings with Doug Lewis I believe that he is attempting to ensure that he's approaching this from a national perspective and not just trying to leave it to a local response, which is clearly not the answer to this.

Let me also say to the member that we talk about a war zone; let's not get caught up in semantics and playing games with definitions. I think the honourable member will agree, certainly if he listens to the words of the local mayor and other community leaders, and will realize that as serious as it is right now, and it is, and as important as it is for us to respond, and we are, if we are not careful in this particular situation, given the jurisdictions that are involved, given the complexities, it could indeed be much, much worse, which is why, Mr Speaker, I'm looking for the RCMP, the OPP, the customs agents, the other professionals who can put together the kind of response and action plan that we should follow, and that is what we are doing.

**Mr Harris:** I want to say by way of supplementary that I never thought I'd see the day when we have a mayor who had to go into hiding, where we have what's happening to the people of Cornwall, where we do have a war zone there at night. I never thought I'd see the day where, when the OPP tells my office this morning, they've got one 20-foot skiff, nothing else—that's all they have to fight back with; they've been begging for more resources, more help, and that's all they have—the Premier of the province would be off giving \$1 million to one of the wealthiest companies in the world—they hardly need \$1 million to go ahead with plans that were going ahead anyway—and is not here in the Legislature, after this summer of discontent on jobs and now the safety of the citizens and of the duly elected mayor of Cornwall.

Can you explain to me why you've got \$20 million for this and \$100 million for that, \$100 million for non-profit day care to drive the private sector day care out of business and \$1 million for Toyota, the richest company in Canada? The only reason I can see that he gave the \$1 million was so he could be there at the ribbon cutting, because I don't think the company even asked for it. Can you explain why you've got money for that and the OPP have one 20-foot skiff to fight back against one of the biggest influxes of organized crime

we've ever seen in Ontario?

**Hon Mr Christopherson:** I agree very much with the seriousness that the honourable member places on this issue, and so do the other responsible levels of government. That is why this task force has been set up by all the police forces that are involved. Let me say very straightforwardly to the member that what we need and what we've asked for and what we will receive from the police is a plan that will allow this issue to be dealt with in a proper manner, in an efficient manner and in an effective manner.

Part of that will clearly be, what kind of resources are required from all of the individual police forces? When that comes, then we will respond to the resource issue. I would suggest that at that point the honourable member will see that we are prepared to ensure that the OPP has the resources it needs to provide its part of this coordinated response to this very serious issue.

**Mr Harris:** With the greatest deal of respect, the residents of Cornwall are not asking for another task force. We had our task force in there 10 days ago. They told us very clearly there were two directions that should be moved on and should have been moved on years ago: number one, the huge tax differential for cigarettes and booze. That means organized crime is dealing with billions of dollars and it has the money, it has the resources and it has the armament that goes with billion-dollar profits of illegal smuggling. That has to deal with the Treasurer and the taxation that we've seen in this province, over the last eight years in particular, and the differential between the United States and Canada.

Secondly, our task force was told that the resources have to be provided immediately, and should have been long ago, to the law enforcement officials. We are dealing, I'm sure the minister knows, with organized crime at the highest level, dealing with the highest of profits. You know that when we're dealing with billions of dollars to the criminal element, to organized crime, human life to them becomes insignificant. To you and me, to Ontarians, human life must be paramount. That is your job, to provide the safety of the people of this province, and in Cornwall, mothers, the mayor, are all saying they're afraid to go out at night.

**The Speaker:** Could the leader place a question.

**Mr Harris:** Nobody is prepared to go out on the river, obviously, after dark. Will you commit the resources today that the OPP are asking for so that they're not sitting there with one 20-foot skiff while you make up your mind with a task force on the measures you're going to take?

**Hon Mr Christopherson:** With reciprocal respect, I would suggest to the honourable member that as much as he might like one of his task forces to equate to a task force headed up by the RCMP, I don't think the

broader community is going to see them as the same.

The fact that this is such a complex issue, that there are so many different jurisdictions, requires that there be a coordinated response. It's the police that have said their first step is a regional task force. It's their recommendation that this happen. It's also their recommendation that they be given the opportunity to analyse the situation, put together a plan and then advise us as to the resources they need to, in effect, implement that plan.

That plan is not completed. The police are working very quickly. This is a high priority. I expect that very soon they will have that plan. When they do, they will identify those resources that are the responsibility of the RCMP, those that are the responsibility of the OPP and the other forces. Our responsibility as the government, mine as the minister here, are to ensure that the OPP have the resources they need to meet their responsibilities within that plan.

**The Speaker:** Would the minister conclude his response, please.

**Hon Mr Christopherson:** I sincerely believe that is the way to deal with the safety of this issue: to follow the lead of professionals, allow them to do their job and when the political will and the political—

**The Speaker:** Would the minister take his seat. A very complete reply. New question, the leader of the third party.

1440

#### ONTARIO ECONOMY

**Mr Michael D. Harris (Nipissing):** My second question is to the Treasurer, or the Minister of Finance, or may I call him "vibes" Laughren. Last week you said you had an unsettled feeling about provincial revenues and deficit targets. I'm just wondering if you can tell us what your vibes tell you today. On this first day of return to the Legislature, what is this deficit projection du jour for this fiscal year?

**Hon Floyd Laughren (Minister of Finance):** When we brought down the budget in the spring, we indicated that we were projecting a deficit of \$9.2 billion. Since that time, there have been a couple of shocks to the revenue system—perhaps "vibes" is not the appropriate word, but shocks—largely, I might add, from the 1992 income tax returns that the federal government divvies up, figures out when they're all in and provides to us in September of any given year. I think the leader of the third party understands that. So the biggest hit on the revenue side reflects the recession in 1992 rather than 1993.

Having said that, however, I'm not pretending there are not revenue problems in 1993 as well. What we've said is that we are determined to come as close as we can to the \$9.2-billion deficit and to make sure that—

*Interjections.*

**The Speaker (Hon David Warner):** Order. Will the minister conclude his reply, please.

**Hon Mr Laughren:** We do hope that this year, as the economy improves, we'll see the unemployment rate start to drop, in particular as more and more people, with the assistance of our Jobs Ontario programs, are removed from the social assistance rolls and become gainfully employed.

**Mr Harris:** I want to say to the Treasurer, I've been travelling this province extensively throughout the summer. I've been talking with Ontarians across the province. I got rather an overwhelming unanimity, if you like, with the odd exception, of course—there's never unanimity on anything in this life—from business people, from working men and women, from the employed, from the unemployed, from families, from those who are worried about their jobs that they don't believe you have a revenue problem.

They've seen the revenues to this government go up two or three times the rate of inflation over the last 10 years and they don't think you have a revenue problem. They think you have a very, very serious spending problem, and until you figure that out, you're not ever going to get your deficit under control, no matter what the Ouija board might tell you from one day to the next, and you do not tackle a spending problem with tax hikes.

Given that one of the big changes from the fourth quarter of last year and the first quarter of this year to the second quarter, where the revenues have dropped off dramatically, with your \$2-billion tax hike, a 6% increase in the rate of taxation, and this is not producing a 6% increase in revenue—the reason is obvious. At that higher rate, there are fewer jobs being created, there are fewer investments, there are fewer people working.

I wonder if you would acknowledge, Treasurer, once and for all, after this last example, on top of the last eight years of massive tax increases, that if you want to get more tax revenue, you're going to have to have more people working, more investment, more jobs, more companies making money. You cannot get it by increasing the rate yet another time. Would the Treasurer tell us if he has learned that lesson?

**Hon Mr Laughren:** There are some things people say to me, and I'm sure they say the same thing to the leader of the third party, namely, that our tax levels are high enough and that they don't want to see taxes going up more. I understand that. We said earlier this year that we had a very substantial tax increase this year which would give us the kind of revenue base that is required for the expenditures we have.

At the same time, I would remind him that for the first time in decades, our expenditures this year are lower than they were last year, and we have worked extremely hard through our expenditure control plan of

\$4 billion in savings and the social contract of \$2 billion in savings this year. That's a very substantial effort on the part of the government to keep our expenditures under control, because I agree in one sense with the leader of the third party that whatever expenditures we have, we must keep in mind at all times what our revenues are.

Finally, and this is not an attempt to point fingers, I would remind him that in the last 10 years, the restrictions that have been put on federal transfers to the province have totalled about \$20 billion. That is a lot of money and a lot of addition to our deficit which then has to be paid for through taxes. I remind the leader of the third party that simply pointing the finger at tax increases doesn't really address the entire problem.

**Mr Harris:** I would agree with the Treasurer, and I'm sure he would agree, that there is a very, very serious problem both federally and provincially with the deficit and with spending and that there are not going to be more revenues from increased taxes. He has learned that; I think other governments have learned that. You can, when you're low-taxed, increase it, but when you're the highest, relative to your competitors, in the cumulative effect of all the regulations, you're just into a law of diminishing returns. We're going to have to deal with the spending. The feds will have to deal with their spending—there's a campaign on now to talk about that—and we're going to have to deal with ours. Unlike the Liberals, we supported your 5% cut. It didn't go far enough yet, obviously. There is still more we're going to have to look for.

I would ask you this, Treasurer. You have directed all the ministries and all the departments to dream up any new way they can to wring another nickel out of the Ontario public: new fees, new user fees, new this, new that. Will you, if you have learned this lesson, go back to them all and say: "Stop that exercise of trying to get more money and put all our talents into: How we can spend more efficiently? How we can spend smarter? How we can set priorities?" so that we deal with the spending problem you have?

**Hon Mr Laughren:** We have attempted to bring our spending in line with what we anticipate our revenues are going to be, and all of the ministries have worked extremely hard in that regard. I know the bureaucracy is not given plaudits very often, but I think when we announced our \$4-billion expenditure control plan, that really did do something that was unprecedented in this province. There was no institutionalized way of controlling expenditures in this province until we did it. It had never been done before.

#### *Interjections.*

**Hon Mr Laughren:** I hear the official opposition Liberals nattering about it. Because they had high revenues in the late 1980s, they spent money they didn't even have. In boom times they increased the deficit, the

cumulative debt of the province, by 33%. In good times they did that.

I'm saying to the leader of the third party that we do recognize there's a problem. We recognize it's not going to go away this year, and we shall continue to work extremely hard on making sure that our expenditures are in line with our revenues.

#### SOCIAL CONTRACT

**Mrs Lyn McLeod (Leader of the Opposition):** My question is also to the Minister of Finance. Minister, as we speak a little bit about the chaos of your social contract, I can tell you that we were pleased to learn that you had finally decided that Ontario Hydro and the municipal electric utilities would be able to use their social contract savings to reduce hydro costs rather than sending you their money.

Minister, I'm sure you're aware that social contract cuts at the Workers' Compensation Board are expected to total \$10 million this year. I would ask you whether or not you will tell us, will you be expecting that \$10 million from the Workers' Compensation Board to be written as a cheque to your government?

**Hon Floyd Laughren (Minister of Finance):** I assume by that question that the leader of the official opposition does not want the WCB to be making a contribution to the social contract savings. I can tell her that we should have an answer for her later this week.

**Mrs McLeod:** The Finance minister assumes absolutely right. In fact, it is unbelievable to me that this government could even consider asking the WCB to contribute \$10 million to pay off the government's own debts.

Surely the minister is aware that the unfunded liability of the Workers' Compensation Board is growing by more than \$1 million every day, a shocking figure that the committee heard this summer. Surely you understand that when you've already got an \$11-billion unfunded liability and that it's growing by more than \$1 million a day, you just don't have any extra money to help the government out with its debts.

Treasurer, I am told that indeed there will be a proposal going to cabinet that will recommend that the WCB, as Ontario Hydro and as the municipal electric utilities, will be able to use its savings in order to deal with its own financial problems. I would ask you today to make a commitment to ensure that cabinet will not take employer premiums paid to WCB to reduce your own deficit.

1450

**Hon Mr Laughren:** I'm sure the leader of the official opposition, having been in cabinet herself, would know better than to expect me to make an assumption on the deliberations of cabinet.

I do understand the problem on both sides. There are arguments on both sides of that, I might add, which—

**Mr Steven W. Mahoney (Mississauga West):** Give us one, then. It's the employees' money. What's the argument?

**Hon Mr Laughren:** And it's the employees who will be making the contribution to the social contract savings. There are arguments on both sides of that case, is all I'm saying.

**Mrs McLeod:** But you are going to fund the liability.

**Hon Mr Laughren:** That's correct, but you might ask yourself from whence came the unfunded liability, leader of the official opposition, who was there, as a matter of fact, when a great deal of that unfunded liability was run up, so you needn't point your fingers at the employees at the WCB. But I would reiterate that we will be making an announcement later in the week.

#### POLICE STAFFING

**Mr Michael D. Harris (Nipissing):** My question is to the minister responsible for women's issues. A female police officer in Orangeville is currently on unpaid leave because she is pregnant. She's been told that a suitable job doesn't exist for her during her pregnancy. Do you think a woman should be sent home without pay because she's pregnant?

**Hon Marion Boyd (Minister Responsible for Women's Issues):** Since this issue is covered under the Police Services Act, I believe the Solicitor General is more appropriate to answer the question.

**Hon David Christopherson (Solicitor General):** As the honourable member I think knows, the matter arises from a grievance under the local collective agreement. It's my understanding that such a formal grievance has been filed, and as such I really can't comment on the details of this particular case. I'm very, very reticent to make any comments that may affect the outcome of a quasi-judicial procedure.

**Mr Harris:** Minister, I say to you and through you to the Attorney General and the minister responsible for women's issues, this is 1993. You are the party that proclaimed and told us all and continue to do so daily that you are going to increase support for women, that this is one of your primary causes. Many of your cabinet ministers have told me it's why you ran. You didn't care about the deficit, you didn't care about jobs, you didn't care about this. I've heard many say this directly too. That's the number one reason why you sought election in the last campaign, and we've not heard one word from the minister responsible for women's issues, not one word from the Solicitor General, that they consider this unacceptable, not one word. You've let our new friends, the labour unions, take this on through a grievance.

We expect a statement from you, Mr Solicitor General, we expect a statement from the minister responsible for women's issues, we expect a statement

from the government about whether in 1993 you find this acceptable, and this is not a unique problem. You know, as Solicitor General, that many small police forces face similar problems and many are looking at this as a precedent.

**The Speaker (Hon David Warner):** Would the leader complete his question, please.

**Mr Harris:** Many are looking at this as a precedent. Many are looking at your silence as carte blanche to do the same thing.

I would ask you, Mr Solicitor General, if she has enough courage to come forward in the next day or two to the minister responsible, will you make a statement that this is unacceptable in 1993?

**Hon Mr Christopherson:** I think there is ample evidence of the actions that this government has taken on issue after issue after issue to stand very clearly on a record that talks about how we feel about the rights of women in society and their rights as they pertain to the legislation that exists in this province.

With respect to the specific issue, obviously my ministry monitors this situation very closely, because of its seriousness, because of the effect this could have on other situations across the province. I can only say once again that I am very, very concerned, as always, as a minister of the crown about making a statement that may or may not affect the outcome of a quasi-judicial issue.

But let me say very clearly that at the end of the day, on this and every other issue that affects women, it'll be very, very clear to the public who in this House supports and respects women's issues, women's rights, and who advocates on their behalf. If we watch what's happening in terms of employment equity—

**The Speaker:** Would the minister conclude his response, please.

**Hon Mr Christopherson:** —and other issues we deal with, I think we already start to see what's happening.

#### VEHICLE LICENSING

**Mr Ron Hansen (Lincoln):** My question is to the Minister of Transportation. As we all know, the province will be issuing special licence plate stickers for personal vehicles of volunteer and full-time firemen. The special front-plate stickers will allow other motorists to easily identify the personal vehicles of firefighters. I have received numerous calls from people asking for more details on this legislation. Can the minister advise this House and my constituency of exactly when these stickers will be made available, whether there'll be a cost involved and the method of distribution?

**Hon Gilles Pouliot (Minister of Transportation):** I wish to thank the member for his interest and question. I would also like to depart from what is customary

in this House, for we have arrived at this decision by way of a private member's bill. In other words, the government has listened to what we feel is a commonsense approach, that of the contribution of Joan Fawcett, the member for Northumberland.

We will be working with the association; we are indeed. In fact, we're developing the team to see what the sticker will look like. It will be paid for entirely by the Ministry of Transportation and will be administered by the Ontario Association of Fire Chiefs. In the short-term future, the beginning of January 1994, it will be available to the members.

**Mr Hansen:** I've got another one. Can the minister advise this House and my constituency—and this has been happening in my constituency—whether firefighters will eventually be issued strobe lights to further identify themselves to other motorists? Some of our volunteers are already using them and the police have told them not to. Can you answer that, Mr Minister?

**Hon Mr Pouliot:** For the past three years, I remember so vividly, at each opportunity the member has stood up like a sentry at his post, and now he believes that we do deliver. We do recognize what the women and the men out there are doing in terms of providing essential services. Yes again, you're getting the stickers, you're getting the strobe lights, and I will welcome the following question next week on yet another endeavour to serve people.

1500

#### HAZARDOUS WASTE

**Mr Steven Offer (Mississauga North):** My question is to the Minister of Environment and Energy and it concerns his government's complete disregard for the health and safety of the residents of Hamilton.

Mr Minister, it was reported last week that as many as 250 school children were exposed to highly toxic mercury, potassium cyanide and other containers of acid from an abandoned metal recycling warehouse in the city of Hamilton. It was later revealed that officials from your ministry knew about the presence of these chemicals at this site, and indeed one official is reported to have said in Saturday's Hamilton Spectator, and I quote in part: "We have been trying to get the site brought into compliance with our requirements since we became aware that the bankruptcy existed."

It is clear that officials within your ministry have known about this toxic chemical site for a long period of time, yet neither the city of Hamilton nor the local fire and police departments of the municipality had been informed by yourself of the serious threat which this posed to the community.

My question is, why did your ministry not inform the city of Hamilton of the highly toxic hazardous materials being stored within this abandoned site, which your ministry had full knowledge of for at least three years?

**Hon Bud Wildman (Minister of Environment and Energy):** This is a very important issue and I appreciate the fact that it's been raised. The member is ill-informed about a couple of the aspects of this issue, however.

It is certainly true that this ministry has been aware of the situation and has been dealing with the legal questions of how to ensure that the receiver would take responsibility. The receiver has taken the legal position and gotten court action to argue that they are not responsible for cleanup.

I reject the position taken by the member that this ministry has somehow disregarded the health and safety of the residents of Hamilton. It is in fact the case that the legal branch and the enforcement branch have been working hard to try and ensure that this company would come into compliance. In fact, the member should be aware that, contrary to his assertion, the ministry informed the Public Works Department of the city of Hamilton in June and July of the need to ensure proper security at the site.

**Mr Offer:** It is clear that your ministry has known about this site and its status for many months, if not years. It is equally clear that your ministry did not inform the municipal officials, fire officials of the city of Hamilton, and they were not aware.

Later today I believe we are going to be debating, in this Legislature, the Environmental Bill of Rights. In your compendium to this legislation, the first line states, "The bill of rights affirms that the people of Ontario have a right to a healthful environment."

It is clear that your ministry was aware of this problem. It is clear that this is a problem which is not limited to just one industrial plant in just one city, but indeed throughout the province. Municipalities have the right to know of the presence of hazardous chemicals within one's community, and that goes towards the municipalities and the firefighting officials.

Today, when in a few short minutes we will be starting the Environmental Bill of Rights debate, keeping in mind your compendium, will you commit to this Legislature and to the municipalities within the province to make known all abandoned sites which you and your ministry are now aware of which contain hazardous materials, so that action can be taken, so that the situation that appeared in Hamilton last week will not happen in any other part of this province?

**Hon Mr Wildman:** I again welcome the opportunity to debate the Environmental Bill of Rights, which is an enormous step forward in terms of ensuring the protection of the environment in this province and the rights of individuals and groups to participate in that protection.

The member opposite repeats his assertion that this ministry did not inform the city and the local officials,

when in fact I had just stated to him in my previous answer that this was not correct. The member should be aware that there was indeed a fire at the site, not in the lab, in June and July. At that time the Ontario fire marshal's office was involved and was dealing with the local officials, and the ministry did in fact inform the Public Works Department of the city of Hamilton.

It's important, I think, to remember one thing: There is an owner of this company and there is a court-appointed receiver, and the ultimate responsibility for the security and protection of the health and environment in the area is the owner of the site. It is important for us to be able to ensure that we take action to ensure that people who have responsibilities live up to those responsibilities.

#### FARM INCOME

**Mr Noble Villeneuve (S-D-G & East Grenville):** To the Minister of Labour: The minister may not know that over the last number of years farm incomes have been decreasing drastically. Can the minister explain how he expects Ontario agriculture to cope with a 5.6% increase in the minimum wage? This will total a 34% increase in minimum wage since 1989. Some farmers, Minister, are even having to use food banks. Minister, do you claim that farm families have had a 34% increase in their net income since 1989? And if you claim that, then you're going against every other statistic that I have seen.

**Hon Bob Mackenzie (Minister of Labour):** I want to tell the honourable member that I don't claim that. I do claim that we've made a commitment, and it's a longstanding commitment, to try and increase the minimum wage in the province of Ontario to a level at which people can pay their bills, and there are a lot of single families living on the minimum wage and that's exactly what we're trying to do and we're doing it in a very responsible and measured way.

**Mr Villeneuve:** Minister, my colleagues and I have had the Mike Harris Task Force on Rural Economic Development travelling into southwestern Ontario and we have heard the concerns of the tomato producers in the Leamington area, in the tobacco area, in Bruce county, and many other areas. They say that the NDP government legislates pay cuts to its own workforce but forces farm families to pay more. These increases, with labour relations and employment equity bills, cause every farmer who can to invest more in equipment to reduce labour.

Did anyone tell you, Minister, that agriculture in Ontario just cannot afford this kind of government interference and increase in minimum wage?

**Hon Mr Mackenzie:** The honourable member should be aware that in an effort to be fair we set a \$30,000 limit under which people wouldn't be hit in terms of the social contract. The minimum wage

provides a \$14,000-a-year income to workers. Now, is he suggesting that they should be paying even a bigger price than the rest of the workers in Ontario?

*Interjections.*

**The Speaker (Hon David Warner):** Order. The member for Grey and the member for Durham East, please come to order.

#### LANDFILL

**Mr Larry O'Connor (Durham-York):** My question is for the Minister of Environment and Energy. I had many important environmental issues raised to me during this summer. The hydro corridor, for example, which I don't believe is needed, is going to cut through some very valuable farm land. I'm glad to hear about the hearings that are going to happen for the Goodwood soil recycling plant. Of course, the people living in the Cannington area in the township of Brock are concerned about the proposed sewage sludge, and of course the residents of Musselman's Lake still need safe drinking water, and that's a very great concern and I'm going to raise that with you again later on. But the question I've got for you, Minister, is: Up in the northern part of our riding around Lake Simcoe the people in the town of Georgina, of course, have been waiting for this site to be named, and hopefully not them, as the preferred site for the Metro-York landfill. They've been waiting for a decision. They've been waiting since the spring through the summer. We're into the fall now and there doesn't seem to be any decision being made in the near future.

Minister, can you give me some answers as to when they can look forward to an answer?

**Hon Bud Wildman (Minister of Environment and Energy):** I want to thank the member for Durham-York for his question and his advocacy on behalf of his constituents. The question that relates to the residents of Georgina as well as residents of the other areas where the IWA is looking at short-listed sites: I'm informed that the Interim Waste Authority hopes to have the announcement of the preferred site in each of the three study areas this fall. Given the environmental importance of ensuring that we have the proper suitable sites, it has taken a little longer than it was originally anticipated, but the announcement will be made this autumn.

**1510**

**Mr O'Connor:** Minister, I want you to be aware about some of the unrest in the community. The children and the families have been dealing with this indecision for over two years. No decision has been made. I have been told of psychologists coming into the school and talking to the students that have been aware of this. The people in Georgina quite often feel that they're very disadvantaged. Economically, they're disadvantaged from the rest of York region. There's high unemployment. There are problems, just as in many other communities, of abuse and violence. On top

of this, they've got the problem of this dump.

I'd like to know, Minister, is there going to be any undertaking by the IWA to take a look at the social impacts, the impacts that are really going to affect the families of the people who live in this area?

**Hon Mr Wildman:** I recognize the uncertainty that residents of the various study areas have experienced and the anxiety of the residents of Georgina as well as the other short-listed communities. I sympathize with the concern of the member for his constituents and all others affected by the IWA site search.

The Interim Waste Authority has gone to great lengths to ensure that the search process is open, that we have real government listening, that we have the public involved in an independent way, independent from government, and that the public input that the IWA receives is reflected in the important decisions that are made. During that input, one of the major considerations that has been brought forward is the social impacts, and those will in fact be taken into account by the IWA in making its final choices.

**The Speaker (Hon David Warner):** The time for oral questions has expired. A point of order, the member for Brampton South.

#### POLITICAL PARTY IDENTIFICATION

**Mr Robert V. Callahan (Brampton South):** On a point of order, Mr Speaker: I've been watching the television coverage of the House, and I note that the New Democratic Party is now identified by a white trillium, the Liberals by a red trillium and I presume the Progressive Conservative Party by a blue trillium. Might I inquire why we are no longer identified as parties on the television screen so the voters of this province can understand who is speaking and make a determination of what they're saying, whether it makes sense or not?

**The Speaker (Hon David Warner):** First of all, I appreciate the point of order. The member has raised, indeed, a valid point of order. We will discuss it with Broadcast and Recording. My understanding is that the logos had been approved by all three parties before they were utilized and that they accurately represent the colour choice of each of the three parties. But indeed, of course, the member's point is well taken that the name of the party should be included as well, and I will follow up on that as quickly as possible.

#### MOTIONS

##### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon Brian A. Charlton (Government House Leader):** I move that notwithstanding standing order 96(a) the House will not meet to consider private members' public business on Thursday morning, September 30, 1993.

**The Speaker (Hon David Warner):** Is it the pleasure of the House that the motion carry? A point of order.

**Mr Murray J. Elston (Bruce):** On a point of order, Mr Speaker: I wonder if the government House leader would stand this motion down so that we might have a discussion about it. It had been brought to our attention, although the House leaders have not yet been able to have had a meeting. I have one member who is prepared to go on, and I had thought maybe we might have had a chance to discuss it; I wonder if we might.

**Hon Mr Charlton:** I don't have any problem with standing the motion down while we have a discussion.

**Mr Elston:** Quite obviously, should there be another conclusion reached, then not proceeding with this motion we would consent to it being brought on at a later time.

**The Speaker:** That would be my understanding, then, that we would stand the motion down, there will be some discussions and then an agreement to return to introduction of motions. Further motions?

#### PETITIONS

##### LONG-TERM CARE

**Mr Frank Miclash (Kenora):** I have a petition—actually, it's a number of petition cards signed by well over 1,000 of the Dryden area—and it relates to an issue that the Minister of Health is well aware of. These petition cards, which include some very sincere comments from the citizens of Dryden, are directed to the Minister of Health, and they read:

"Dear Minister,

"We want an extended care facility in Dryden so our elderly citizens don't have to go elsewhere. Please give the go-ahead to build an extended care facility in Dryden today."

Again, I have well over 1,000 of these cards that have been presented to me.

##### GLENORA-ADOLPHUSTOWN FERRY SERVICE

**Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings):** I have a petition here today that was collected at the Prince Edward County Fair. You can see it's quite a large one, and there are approximately 2,000 in this petition. The petition reads:

"To the Legislative Assembly of Ontario:

"We, the undersigned, are strongly opposed to the user-pay fee imposed on patrons who use the Glenora ferries for the following reasons:

"1. This ferry is part of Highway 33 and it poses the question: How can the province charge for part of a highway?

"2. Many taxpayers who live along the Loyalist Parkway rely on tourism for their income. By imposing this fee, fewer tourists will use this route, badly cutting into the income of businesses.

"3. Many people living in Prince Edward country work in Kingston; this fee will produce further eroding of their income.

"4. Farmers sell produce and buy supplies in Picton; this fee will be detrimental to their profession."

That concludes the petition.

##### HOME CARE

**Mr Randy R. Hope (Chatham-Kent):** On behalf of my constituents, I have a petition here, and it's addressed to the Legislative Assembly of Ontario:

"We, the undersigned residents of Kent county, ask that the government of Ontario reverse their decision on the issue of the 10% limit in home care business to private sector agencies. Our democratic right to choose is denied. The quality of service provided is not acknowledged. The flexibility and responsiveness of private agencies to meet consumer needs is not considered. On the grounds of these inequities we base our request."

On behalf of my constituents, I wish to forward this to the Legislative Assembly.

##### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mrs Marland from the standing committee on government agencies presented the committee's seventh report.

**Mrs Margaret Marland (Mississauga South):** These appointments list some people who I think will serve very well the people of this province in these particular offices of these appointments.

I don't like to single out one, but I would like to make an exception to what I normally do because I think the new chair of the Toronto Area Transit Operating Authority, Mr David Hobbs, is someone who everyone in this House is very happy to see in that position. He has a very big challenge ahead of him. We've very glad that a former deputy minister of the government is now being appointed to that very responsible and very challenging job, and we look forward to his work in that service.

**The Speaker (Hon David Warner):** Pursuant to standing order 106(g)(11), the report is deemed to be adopted by the House.

##### STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Mr Huget from the standing committee on resources development presented the committee's report and moved its adoption.

Your committee begs to report the following bill as amended:

Bill 42, An Act to provide for Farm Registration and Funding for Farm Organizations that provide Education and Analysis of Farming Issues on behalf of Farmers / Projet de loi 42, Loi prévoyant l'inscription des entreprises agricoles et le financement des organismes agricoles qui offrent des services d'éducation et d'analyse en matière de questions agricoles pour le

compte des agriculteurs.

**The Speaker (Hon David Warner):** Shall the report be received and adopted? Agreed.

Shall Bill 42 be ordered for third reading? So ordered.

#### STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Mr Beer from the standing committee on social development presented the committee's report and moved its adoption.

Your committee begs to report the following bill as amended:

Bill 51, An Act Respecting the Restructuring of the County of Simcoe / Projet de loi 51, Loi concernant la restructuration du comté de Simcoe.

**The Speaker (Hon David Warner):** Shall the report be received and adopted? Agreed.

Shall Bill 51 be ordered for third reading? So ordered.

1520

#### STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr Dadamo from the standing committee on general government presented the following report and moved its adoption:

Your committee begs to report the following bill as amended:

Bill 17, An Act to provide for the Capital Investment Plan of the Government of Ontario and for certain other matters related to financial administration / Projet de loi 17, Loi prévoyant le plan d'investissement du gouvernement de l'Ontario et concernant d'autres questions relatives à l'administration financière.

**The Speaker (Hon David Warner):** Shall the report be received and adopted? Agreed.

Shall Bill 17 be ordered for third reading? So ordered.

Mr Dadamo from the standing committee on general government presented the following report and moved its adoption:

Your committee begs to report the following bill as amended:

Bill 40, An Act to stimulate Economic Development through the Creation of Community Economic Development Corporations and through certain amendments to the Education Act, the Municipal Act, the Planning Act and the Parkway Belt Planning and Development Act / Projet de loi 40, Loi visant à stimuler le développement économique grâce à la création de sociétés de développement économique communautaire et à certaines modifications apportées à la Loi sur l'éducation, à la Loi sur les municipalités, à la Loi sur l'aménagement du territoire et à la Loi sur la planification et l'aménagement d'une ceinture de promenade.

**The Speaker:** Shall the report be received and adopted? Agreed.

Shall Bill 40 be ordered for third reading? So ordered.

#### ORDERS OF THE DAY

##### ENVIRONMENTAL BILL OF RIGHTS, 1993

##### CHARTER DES DROITS ENVIRONNEMENTAUX DE 1993

Resuming the adjourned debate on the motion for second reading of Bill 26, An Act respecting Environmental Rights in Ontario / Projet de loi 26, Loi concernant les droits environnementaux en Ontario.

**The Speaker (Hon David Warner):** The Minister of Environment and Energy had the floor when we last were debating this bill and so he continues with the floor.

**Hon Bud Wildman (Minister of Environment and Energy):** As I was saying before I was so rudely interrupted—I know, Mr Speaker, that you will be familiar with that phrase because I recall you yourself, in another guise, using that phrase when you began to speak for the first time after having had a sojourn outside of this Legislature.

You'll recall that just at the last day, the last evening of the debate before the House adjourned, we began second reading debate on the Environmental Bill of Rights. At that time I had raised a number of aspects of the bill and had advocated the support of the bill by members on all sides of the House. I'm pleased, after being so interrupted, to be able to resume second reading debate now in the Legislature on this very important piece of legislation.

As I indicated at that debate, the Environmental Bill of Rights is built on the principle that everyone must be given the power to make a difference, to help to protect the environment in this province. This bill, the EBR, as it's called, will give people unprecedented rights to act on their commitment to protect the environment in Ontario.

The bill represents the outcome of a very highly successful consultative process. As I indicated before adjournment in August, the bill which is now before us is essentially drafted based on a consensus that was arrived at through the very serious work of a task force that involved members of the business community and representatives of environmental groups as well as government representatives, who worked together to determine how they might work through their differences, keeping in mind that all of them had a commitment to protect the environment.

They may have had different interpretations of the best ways to do that, of the best approaches for ensuring public involvement, and they may indeed have had some conflicting views on how we should approach this matter. As a result of this very difficult work, they

arrived at a consensus and we as a government drafted a bill. This is a unique process, a process that I don't know of many precedents for.

As a result of that consensus, we're looking forward to cooperation in the public, cooperation from government ministries, the cooperation of the business community and environmental activists, as well as labour and other groups, in ensuring that this bill is effective and workable.

The Environmental Bill of Rights will fundamentally change the way government does business. The government will be obligated to consider how its policies and programs affect the environment before proceeding with new policy changes and implementing programs.

The government of Ontario sees a healthy environment as one of the foundations for rebuilding our economy and creating jobs, and we believe the Environmental Bill of Rights will contribute to Ontario's economic revitalization by ensuring a healthy future for Ontario's environment and creating an environment for investment. I want to speak a little bit about the environment for investment.

Some people have suggested that the proposals before us in the Environmental Bill of Rights might indeed be alarming to the business community and might, in some way or other, scare off investment. I don't believe that and the government doesn't believe that; neither do the members of the task force who represented the business community.

One thing, though, that the business community was very concerned about and that I understand, was the need for regulatory certainty, to know what the rules are and to know that the rules will be enforced or carried through fairly. This bill provides regulatory certainty for those who want to make decisions regarding investment in this province.

The business community needs to know and will know in very clear terms what it must do to comply with environmental requirements in Ontario. The Environmental Bill of Rights is one way of providing uniformity and consistency. Everyone involved will have a window on what is happening at every stage of the decision-making process under the Environmental Bill of Rights.

During the beginning of second reading debate, I mentioned a number of the key elements of the legislation. Members will recall that 14 Ontario government ministries will be required to prepare statements of environmental values. These ministries then will have to determine how their regulations, their programs, their policies must be developed and carried out in relation to those environmental values that they have included in their statements. The public will be able to make that judgement as well.

Also, the bill creates an electronic registry so that all

new regulations, pieces of legislation, programs, approvals and new developments will be readily available for any member of the public, who can have access to this electronic registry. If there's an issue that comes up, a change that is being proposed that any individual or couple of individuals or groups are interested in, they'll be able to see it on the registry, be able to obtain information about it and to look into the matters related to it.

Also, this bill permits residents of Ontario to request investigations and reviews of government policies.

As I indicated in my remarks in August, it's important to recognize that it is the responsibility of the minister to determine whether indeed the investigations requested or the reviews called for should be carried out, and it is the responsibility of the Environmental Commissioner to determine whether or not ministers, in making those decisions, are in fact in compliance and implementing the Environmental Bill of Rights.

**1530**

Also, this legislation significantly enhances whistleblower protection for workers who raise concerns about compliance, who think that a regulation may not be being complied with properly, but who, without this kind of protection, might feel inhibited from making a report or calling for an investigation because their employer might take retaliatory action or that they believe their employer might do so.

The legislation also creates new cause for legal action, allowing a citizen to sue to protect the environment, and it removes the barriers to that approach. If a couple of individuals believe that a particular regulation, for instance, is not being adhered to properly and this is harming the environment and that the ministry has not taken proper action or has not investigated properly, the citizens would be able to sue even without having to show that the harm is being done directly to them.

Again, one of the concerns that has been raised is that this might lead to a large number of cases and that there might indeed be frivolous attempts to tie up possible new developments in the courts. I emphasize that we don't believe this will be the case. In fact, we're confident that by involving members of the public from the very beginning of any approvals process or any changes by having the notification on the registry, by enabling people, groups and individuals, to take part at every stage and have input into approvals for developments or changes in which they're interested, that there will be response to their concerns early on in the process so that they will not be dissatisfied and will be assured that the environment is being properly protected and so that we will not see an increase in the number of court cases.

Again, and perhaps most importantly, the bill establishes the office of the Environmental Commissioner to oversee the government compliance and implementation

of the Environmental Bill of Rights. The commissioner's responsibility will be to report once a year to the Legislature—not to the minister, not to a government appointee, but this commissioner will be reporting to the Legislature—on how successful the government and the ministers are in complying with the principles and implementing the provisions of the Environmental Bill of Rights.

If a minister or ministry or the government generally is not carrying out its responsibilities, the commissioner will make that report to the Legislature. The public will have access to this report and will know whether or not the government is taking seriously environmental protection and ensuring that all of its policies, programs and regulations take into account the need for proper environmental protection and environmental values in the decision-making process.

As I said during the debate in August, I believe this legislation to be the most important piece of environmental protection legislation introduced in this House in 17 or 18 years. It's an enormous step forward. I'm happy that there has been a consensus arrived at by the task force and that we've been able to comply with their proposals in the drafting of this legislation and that we have their support, the members of the business community as well as the environmental groups that were represented on that task force.

Because of that, I look forward to the participation of my colleagues in the House on all sides and to the support of the members of the House for second reading for the Environmental Bill of Rights so we can move forward to the committee stage and then to third reading, keeping in mind our commitment to the task force and to the members of the business community, the environmental protection community and the public that we would pass this legislation into law, pass third reading, before the end of this calendar year. Again, I look forward to that process. I look forward to the debate. I'm confident that opposition parties and all members of the House will provide constructive comments on the legislation and that they will support second reading of the Environmental Bill of Rights.

**The Deputy Speaker (Mr Gilles E. Morin):** Questions or comments? The member for Mississauga North.

**Mr Steven Offer (Mississauga North):** I'm pleased to take part in the two-minute—

**The Deputy Speaker:** No.

**Mr Offer:** I understand that, Mr Speaker. I understand that I will also have the opportunity in a short while to take part in the debate in a fuller fashion.

As the minister has indicated in his opening comments about the Environmental Bill of Rights and his position on the Environmental Bill of Rights, I would like to comment at this point that I hope that in the time

we have dealing with this particular piece of legislation, a number of questions that have arisen will have the opportunity of being answered.

I'm going to have the opportunity in my opening comments to deal with some of those questions in a fuller fashion, but there is no question that there have been many questions—I won't say concerns, but certainly questions—about the statement of value that the 14 ministries will have to bring forward: What are those statements, and will those statements be publicized prior to this bill going to committee?

I think the Minister of Environment and Energy now recognizes that those 14 prescribed ministries have had the opportunity over the summer session of detailing what their statement of value is going to be, so time is no longer a problem for those ministries. They obviously should have been working on those statements.

Certainly I would hope that, first, the bill will be going to committee, because I think it is very important to hear some of the reaction to some complex areas in the legislation from others, but also that prior to the bill going to committee, the 14 prescribed ministries will have tabled their statements of environmental value for further discussion.

**Mrs Margaret Marland (Mississauga South):** I would like to suggest to the minister that it's interesting that we finally do have an Environmental Bill of Rights from his government. Certainly the former minister, when she was in opposition, had an environmental bill of rights as a private bill, so we expected, those of us who are concerned with these things, that there would be fireworks and rockets in the sky when that particular member for Etobicoke-Lakeshore had the opportunity when her party formed the now New Democratic government in this province.

It has been with some surprise that we have languished through three years without any real action in this area by this government. It was particularly disappointing to many of the people in this province who have supported many aspects—perhaps not all the aspects of this particular bill, but many aspects of having an Environmental Bill of Rights in Ontario. Some tremendous irony has been felt by many thousands of people associated with the environmental movement in Ontario that Ms Ruth Grier did not become the shining light as Minister of the Environment that everybody had expected in making the transition from being the critic for Environment when she was in opposition. I wish my friend well with his bill, although I will have some comments to make on it in the coming days.

1540

**The Deputy Speaker:** Any further questions or comments? If not, the minister.

**Hon Mr Wildman:** I thank the members for their

comments, although I take some exception to a couple that were made.

In regard to the preparation of the statements of environmental values, the member is quite correct that the 14 ministries responsible are working very hard on the development of those statements and have been over the summer. I'm not certain that I can assure him that the statements will be all ready prior to the bill going to committee. I'll check on that to see what the status of each of them is before we get to committee and I'll report back to him on that.

In regard to the comments of the member about my predecessor, the former Minister of the Environment, it is quite true that this legislation we have before us is a tribute to her work, to the work that she did as a member of the opposition and that she did when she was appointed Minister of the Environment. I think it's interesting that a member of the opposition would be critical and somehow say we've languished for three years when the previous minister established a task force that consulted widely among the business community and the environmental groups, along with government officials, and came up with a consensus of all those groups which then led to the drafting of this particular piece of legislation.

I suspect the members of the opposition, when one remembers Bill 40, might have been highly critical of the minister if she had just proceeded with her bill and not consulted with anybody. Then they would have said: "This is unfair. You should have asked the environmentalists, you should have asked the business community what they think." But now you're critical because she did in fact do what you would have wanted.

I suspect what they're unhappy about is that there is indeed a consensus. I hope that's not the case. I hope they welcome the fact that the business community and environmentalists support this legislation and that it's based on the best consultative process we could have had in this Legislature.

**The Deputy Speaker:** Your time has expired. Any further debate?

**Mr Offer:** I'm pleased to take part in this debate on the Environmental Bill of Rights. By way of opening comment, I think it's obvious to those who have read the legislation and some of the backgrounders to the legislation that this is a complicated piece, that it will require a great deal of discussion. I believe it does require committee hearings. I believe that the public, that I would hope this bill was designed to serve, will have an opportunity to come to a committee in this Legislature in order to share with us their thoughts on the legislation.

Again, for those who have gone through this piece of legislation, there are certain areas, whether it be the ability to access the courts, whether it be the rules

around regulations, which are not the easiest to read, let alone understand, and I would expect that the Minister of Environment and ministry staff would hold themselves open for what I believe to be an important discussion.

I'm going to be commenting on different aspects of the legislation in the time permitted, but let me say at the outset that in principle I will be in support of the legislation. I believe the people of this province deserve a framework of protection, I believe the people of this province deserve a framework of expectation as to what their government can and should do in terms of the environment sphere, and I believe it is absolutely important that there be ensconced in legislation a form of accountability, accountability to those who will require to use different areas of the legislation today and in the future.

Although I speak in principle in support of the legislation, I will say at the outset that I have some concerns over aspects of the legislation, as to whether it will in fact meet that goal. I have concern as to the teeth behind this legislation. I have concern that the legislation, though it carries all the right words, lacks some substance.

My party has discussed this legislation in some detail. As you will know, Mr Speaker, and as members of this Legislature will know, our party has always held the protection, the security, the improvement of the environment as one of its highest priorities. I know that when we had the opportunity to govern not that long ago, there wasn't in many ways a better record than that of the Minister of the Environment, the now member for St Catharines.

I believe this bill in its framework and in its principle is one which is deserving of approval at second reading, but also should not be immune to some discussion as we move through the legislative process. In principle, we support the legislation, but we will be using the time permitted in this legislation debate and as well throughout the hearings process to take a more critical view of different aspects of the legislation, with a view to improving it, with a view to making certain that the Environmental Bill of Rights, 1993, affirms, and this is in the words of the compendium, that "The people of Ontario have a right to a healthful environment, and a responsibility, shared with government, to ensure that the inherent value of the environment should not be compromised to the disadvantage of present and future generations." That is the opening statement in the compendium to the Environmental Bill of Rights. I thought it was important to read what is one sentence that covers three lines, to indicate what our purpose is going to be as the legislation progresses.

The legislation has a long path. It is the subject matter of various discussions at various points in time. I think those who took part in the task force, and I do

not speak to the government at this time, I speak to those people who took part in the task force around the Environmental Bill of Rights: Pollution Probe, the Canadian Environmental Law Association, the business council, the Canadian Manufacturers' Association, the Ontario Chamber of Commerce and the ministry, but most importantly, the individuals who have seen the need to be part of a process and have been ready, willing and able to signify their commitment in time and effort which resulted in the bill as we now have it.

As I speak to that, it is distressing in a way, not on this piece of legislation but on others, that the government has not seen fit to use the consultative process in the way the Environmental Bill of Rights has been used. It is distressing that just last year at this time, we were fully engaged in debate over changes to the labour laws in this province, and it is unfortunate that the government could not adopt a consultative approach, a consultative effort, to that area as has been adopted to this area.

**1550**

We know and still recognize the severe outcome of that lack of consultation that the government was so willing to embark upon. It has caused this province some real hurt; it has caused this province a real lack of confidence; it has indeed sent out a very negative message about doing business with this government.

It is strange that when we brought forward these matters in another bill at another time on another issue, the government of the day thought that consultation was inappropriate, was not able to be utilized and could not result in a consensual type of result. Now the government says, in this bill, that those individuals who took part in the task force did indeed have a result of a consensual approach.

I can tell you that since the bill has been introduced, many individuals, both from what might be termed the business side and the environmental side, have approached me and said they want this bill to proceed. They have spoken to me about the bill in a positive sense.

Just on that account, I believe and hope that we are moving to an age where we don't have to view people from the business side on one hand and the environmental side on the other. I hope and I believe that more and more people are coming to recognize that it is one, that everybody is on the same side, that there is a common goal, that there is a common purpose, that there are common objectives, that there is the ability and need and wherewithal and commitment to work towards a conclusion which will benefit many, many generations to come.

Having started discussion on this bill, I'd like to deal with some of the aspects of the bill, again in the time permitted. To begin, it is somewhat curious that the government introduces a bill of this kind. The words are

all right, the objective is basically without objection and the process is somewhat approved, but some of the actions of the government on matters in the environment move in another direction.

I speak not particularly of the Environmental Bill of Rights but of the actions by the government around the process of selection for garbage dumps in this province, that the actions of the government on those issues seem to be at odds with the words of the government in the Environmental Bill of Rights.

I think of the actions that took place in Hamilton just last week and I have concerns that the ministry was not on its toes and that the protections the ministry puts in words in the Environmental Bill of Rights are different than the actions taken by the ministry in a matter such as securing an abandoned plant which contains toxic substances.

I have concerns about the words of the Environmental Bill of Rights again on the one hand being all right, but on the other hand the Ministry of Environment knowing that its own regulations on refillable containers are not met and doing nothing about that. It seems to me that if the ministry is putting action behind these words, then it would embark on a different process for landfill sites; that it would be more upfront with the people in this Legislature over what went on in Hamilton and what it knew and what it did or didn't do; that the ministry would have recognized and responded in this Legislature to the continued violation of regulations around refillable containers and said, "Either those regulations are going to be enforced or we're going to change the regulations."

The Environmental Bill of Rights in its words dictates that the ministry should've taken different actions than what it is in fact taking in matters of the environment, and so I have a concern not so much about the Environmental Bill of Rights but rather about the actions that the Ministry of Environment is taking on matters of the environment in light of the fact it has introduced this type of bill.

The Environmental Bill of Rights—and I am going to direct my comments, as I have to date, from the ministry's own compendium. For those who are watching, I think you will recognize that when a government introduces a bill, it also introduces what is called a compendium, which is an explanation of the bill, and so I am going to be using the compendium for my opening comments. I do not want the members of the government to think that I have misinterpreted, misconstrued or misread the bill. I want to use their own words.

It states in the purposes as a compendium, and I'll only read from part of it because it is an 18- or 19-page document: "There will be an open and transparent process of decision-making. It will provide greater certainty and accountability for the public." I want to deal with that one aspect, "the open and transparent

process of decision-making."

We have to ask ourselves, what was the open and transparent process of decision-making in the question of the landfill sites in and around the greater Toronto area? We have to ask ourselves, what type of process did the ministry embark on in dealing with those questions? Did the ministry embark on this issue in a manner that was open and transparent to the public? The ministry speaks in favour of that principle, yet its actions seemed to be an alternative, seemed to be in opposition to what their statements are.

I, as you know, represent the area of Mississauga North. Mississauga North is the home to the Britannia landfill site. The Britannia landfill site is the site which takes the refuse from the region of Peel. As you know and as members know, this is an area of growth in this province that each day more and more people live in the region of Peel than the day before. There are not many areas in the province that are undergoing the type of growth that the region of Peel is an example of. In the Britannia landfill site, it had a certain capacity. It's as if you would visualize a landfill as a garbage can, and at some point in time it gets to the top, and the ministry approves how big that can should be. In Britannia and in Peel we were reaching the level.

Now I have to move back. As you can remember, we are now reaching that level where the landfill site is hitting capacity, and of course this is of some concern in the area. The Premier today, Bob Rae, when in opposition stated that there would be no expansion of any existing site without a full hearing. Those were the words of the Premier in the last election, 1990. He made that commitment to the people in Peel, as well as others, that there would be no expansion of an existing site without a full hearing.

#### 1600

In my area, we were coming to capacity in Britannia. Now we move into the year 1990, after the election. Bob Rae is no longer Leader of the Opposition; he is now the Premier of the province. But his statements are there. His statements clearly indicated that there would be no expansion of an existing site. What happened in Britannia? Where are we now putting our garbage? We were reaching capacity. The Premier said, "No expansion without a hearing." We have not had a hearing. So obviously we must be putting our garbage elsewhere.

The fact of the matter is that the Minister of the Environment, at that time Ruth Grier, expanded, by order, the Britannia landfill site and said that this site will be expanded, that in fact more garbage will be going into Britannia. Will there be a hearing? Without a hearing. The question we have to ask ourselves is, how do the actions of the government in this matter live up to the words in its own compendium, "An open and transparent process of decision-making will provide greater certainty and accountability for the public"?

In the region of Peel, in that part of the public, the words of the Premier, Bob Rae, when he said there would be no expansion without a hearing, were met with his actions, which were an expansion without a hearing. Those are the words that are indelibly etched in the minds of the people in the region of Peel. I must say that we will be looking in this bill of rights to make certain this government is held accountable to what it says, that this bill of rights makes it accountable for its actions.

I believe that this government, if this bill of rights had passed earlier on, would have been in breach of its own legislation over the actions it took in the region of Peel. If the government says it would not have been in contravention of its own bill of rights over the actions it took in the region of Peel, then this bill lacks substance, lacks teeth, because if there is a clearer breach of a confidence in a matter over land disposal than exists in the region of Peel over the Britannia landfill site, I am not aware of one. It is clear the Premier said one thing and did another. So I approve in principle of the words of the EBR, but I am concerned about the actions that might be behind the words.

There is another area I want to deal with. Again I will, just in passing, get back to the landfill site process, because I don't want to leave it to the region of Peel. I think there are some things that can be said about York and about Durham as well. But the legislation also talks about an environmental registry. Again from the compendium, "An environmental registry will be created, the physical apparatus which will enable the public to participate in environmental decision-making by government." It goes on to state, "The registry will be an electronic one, operated by the office of the registrar in accordance with the regulation(s) made under the bill."

The question that I have, the concern, is: regulation, regulation, regulation. I have in my mind: how are people going to access this registry? What is planned for the general public in order that it can be made more aware of ongoing decisions within the government? To date, I have not had a response to this type of question. Where can people go to find out information?

We have large environmental groups in this province, good groups, groups of individuals who have committed not just terms but lives to enhancing our environment. But there is a growing awareness by individuals that they too have a right, that they too have a stake in knowing what goes on. I believe that awareness, that growing sense of, "I want to participate; I want to be part," has in large measure been shown by these environmental groups. I don't want to mention any, for fear of excluding one, but we all know the groups we are talking about, the people, the individuals who have forged the way.

Now we have individuals who want and recognize that they too should be part. We have a government

saying there's going to be an environmental registry. I want to know how the individuals are going to be able to be part of decision-making, how they are going to access information and what type of information is going to be given to them in order that they can have their fair share, their stake in this matter laid out.

The answer that we always get from the government, in an increasing fashion, is: regulation, regulation and regulation. We know this Legislature what regulation is. That is a decision by cabinet as to what is going to take place under a piece of legislation. Whatever they decide never hits this floor. It's never the subject matter of debate. It's never the subject matter of public hearings. In fact, I dare say that members in the government party who are not part of cabinet find out about these regulations like everyone else: through a press release. If you on the government side who are not part of cabinet have any concerns, it is too late.

A crucial aspect of the legislation, the environmental registry, is left to the bare minimum of information. How interesting that so much of a piece of legislation is left to regulation when the underlying principle of the legislation is in fact information. It is strange to me that legislation of this kind would leave so much for regulatory work. I believe that we in this Legislature, as we represent our constituents, that indeed the general public, which has occasion to follow the debates in this place, which has occasion to take part in legislative debates, should also have the right to know what the legislation says. I tell you that as more legislation is left to regulation, we in this Legislature and the general public have no idea what that will mean, what the impact will be and what repercussions will arise.

**1610**

Again—and unfortunately I'm going to have to hark back to this, because regulation is something I have become very suspicious of—I believe that governments have the opportunity, after so many years of work, to put some of the more basic aspects of their legislation in the bill as part of law and not to leave to some group of cabinet ministers to decide what is and isn't part of and good for a law in this province.

I move again to the compendium, and I say this: I'm going to continue to focus my comments on the compendium, because I know that as we deal with second reading debate, one of the things that the Speaker is most aware of and concerned about is that members veer off into other areas. So I hope to take that concern from the Speaker as I relate specifically to the compendium, the attachment, the explanation to the bill which we are discussing.

The statement of environmental values: Again from the compendium, the bill requires each prescribed ministry to "develop a statement of environmental values explaining how the purposes of this bill are to be applied when that ministry makes decisions that might

significantly affect the environment and how environmental considerations are integrated with other considerations that are part of decision-making in that ministry."

When I spoke about a complex piece of legislation, what I just read is the explanation of the sections. We can only imagine how the sections read.

Basically, what this says is that not every ministry of the government has got an environmental concern. That is firstly a concern, that there are some ministries to which this bill will not apply. I believe there are now 14 ministries of the government that, by regulation, will be bound by this legislation.

**Mr Chris Stockwell (Etobicoke West):** Point of order, Mr Speaker: First day back, we should have a quorum, I think.

**The Deputy Speaker:** I'll check.

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** A quorum is not present, Mr Speaker.

*The Deputy Speaker ordered the bells rung.*

**The Deputy Speaker:** A quorum is now present. The member for Mississauga North.

**Mr Offer:** I was speaking about the statement of environmental values. I have a concern about this, and my concern is that, firstly, there are only 14 ministries that will be subject to this legislation; secondly, that their statements of environmental values are ones that are left up to them to decide; that in fact their statements are outside of the legislation and their statements will probably not—and I'm trying to be as kind as I can—be available when a committee deals with this legislation. I believe that to be a serious flaw, not in the bill, but in the process.

I believe it to be significant that the Minister of Environment, even though they have only designated 14 ministries, has not demanded from those ministries that those statements be available for public discussion during the committee stage. How are we going to deal with the priorities that other ministries have put on the environment when we have not been given their statement, their founding principles?

It could very well happen that ministries could in fact attach in their statement a priority to the environment which may not be number one, which may not be number two on the list. In fact, it could be that the wording on their statements may be sufficiently wishy-washy, sufficiently obscure, sufficiently imprecise that indeed ministries will be able to move along on their merry way without any concern about the Environmental Bill of Rights because their statement is one which does not do the very best for the environment. The only way that we, as members of the Legislature, and indeed the general public can make that decision is if we are told what those statements are.

Now we'll talk timing. Because this bill was brought

forward last spring, I believe it was the intention of the government, if it had been able to order its own affairs, to get this bill passed in the last session on second reading and then over the summer have some committee hearings. The fact of the matter is that the government couldn't order its own business, and this is the bill which suffered. This is the bill that the Minister of Environment and Energy could not even finish his second reading speech on before the government adjourned for the summer session.

That is another issue, but the fact is that that was in July. We are now moving into the month of October and just starting to debate. In that time frame I think those prescribed ministries could very well have had the statements of environmental value ready. Timing, if it were to be used as an excuse by the Ministry of Environment and other ministries, could have been used if the bill had gone through on second reading and had committee hearings in the summer, but the bill did not proceed, so that excuse of timing is no longer able to be used by the ministry and the other prescribed ministries.

I know that the Minister of Environment's staff is here, I can tell you that if those statements by the other ministries are not ready, I for one will be extremely suspicious. All the individuals, the people that made up the task force I believe should be equally suspicious if after a period of three and four and five months those statements cannot be made publicly known.

I am concerned that a well-crafted statement can do more harm to the environment than we at this point appreciate, and I want to have those statements available for the committee. I want to have those statements processed through the task force, I want to hear its comments on the statements, and I want those statements from the ministry available for the general public to comment on and share with their elected officials.

If we cannot do that, then what are we talking about, in large measure, during the committee? If we don't have the rules, the statements, the principles, the values under which the ministries are to proceed, then how can we move to the second step? If those statements, values, are watered down, there is no second step. The environment does not receive the protection that it is assumed it will receive, and the general public will not have that reliance and accountability that the government has said they will receive under the EBR.

1620

I hope the members of the bureaucracy of the Ministry of Environment have taken note of that comment, because I believe it is fundamental for us as members in this Legislature and for the task force, who are in large part responsible for this legislation, to know the principles, the rules and the values under which each ministry will operate in terms of safeguarding the environment.

Again to the compendium. "The bill provides that the

minister shall take every reasonable step to ensure that the statement of environmental values is considered whenever decisions that might significantly affect the environment are made in the ministry."

We will have some discussion over that. The minister takes a "reasonable step." What is a reasonable step? What teeth does the minister have to ensure that the statement of values, whatever they may be, are complied with? I think there's an awful lot of people who have an expectation of this bill that just doesn't hold true. The minister is to take a reasonable step, and the reasonable step is to ensure that the values, again whatever they are, are considered. What does that mean? Every action word in this sentence is weaker than the next.

We say, "Okay, the minister must now take a reasonable step," and what's reasonable to the minister might be terribly unreasonable to many people who are concerned with the protection of the environment, then we go on to say, "to ensure that the statement of environmental values is considered." We don't know what the values are. What does it mean to be "considered"? That they have to look at them? What do they have to do about them? We don't know.

Then it says "significantly affect the environment." This is the catchword here, "significantly affect the environment." Who decides what a significant effect to the environment is? Is a deposit something that significantly affects the environment? Is a refillable container something that significantly affects the environment? Is an expansion of a site without a hearing, such as happened in Britannia, something that significantly affects the environment? Do we not realize that we need more teeth, more certainty behind these types of words? Every word is weaker than the next.

I believe the Minister of Environment and Energy, the ministers of the government, can say, "Geez, we can live with that." In fact, this opens the door to making certain that the environment does not have the same priority it used to have. We can justify anything with these words. I have some concerns about that, and that is why this type of wording, these explanatory notes to the legislation, cause me concern, and I am concerned even though I speak in favour of the principle of the public being more aware of environmental decisions. My concern is based not on that principle, but rather on the words that are designed to promote that principle.

I can tell you, you read these words and you can see without any problem how these words can be used, if not abused, by members of the government in terms of making the environment a lower priority, making certain that those decisions do not have to have an environmental consideration, because these are wishy-washy, mealy-mouthed words which I believe must be strengthened in order to put some substance behind the principle of the legislation, which we support.

Much more can be said about the statement of environmental values. However, we are limited by what we say because we don't have the statements of environmental values. We don't know what the ministries will decide as to what priority the environment will take, so we speak about these issues, but very much in a vacuum.

Section 15, and again I hearken back to the compendium, requires a minister to determine whether a pending proposal for a policy or act under consideration in his or her ministry could "have a significant effect on the environment," and whether "the public should have an opportunity to comment on the proposal" prior to implementation. And of course it says, "A minister need not notify the public of policies or acts which are predominantly financial or administrative in nature." These are the explanatory notes.

How do we read this? I don't know how you read this, to be very frank, because of the fact that we've got some ministries but not all ministries that must follow the bill. We have, "Those ministries that must follow the bill have to issue a statement of value," which we haven't received. But even if they have indicated a statement of value and are subject to the bill, they don't have to inform the public of these things if their policy is predominantly financial in nature.

Now let's ask the question, is the levy on cans one that's financial in nature? Is a deposit on a pop bottle financial in nature? If that's the case, then they don't have to give notice. The only reason I say that is because I'm reading the minister's own compendium or explanation to the legislation.

Do we have a gaping hole in this legislation that, as soon as you put a dollar figure to some aspect, even if it affixes itself to the environment, you don't have to give people notice of this? It's incredible that the words of the legislation are so imprecise when one tries to relate them to the principles of the bill.

Of course, I've read one explanation. It has those magic words, that "a minister"—now, this does not mean the Minister of Environment and Energy, because they would not use the words "a minister." It is any minister who happens to be subject to this bill. If it doesn't have a significant effect on the environment, then we're free.

Who decides that? Who decides what does or does not have a significant effect on the environment? What happens if a minister has decided that there is a policy or proposal which, in his or her opinion, does not have a significant effect on the environment? What happens if somebody disagrees with that? What happens if the Minister of Environment disagrees with that? What happens if one of the representatives of the stakeholders, the task force, disagrees with that? What happens if some resident in the province of Ontario disagrees with that? What process do they have to go through? I can

tell you, under the Environmental Bill of Rights, they have none. They have no process in terms of rectifying an erroneous decision and conclusion drawn by a minister who is part of this bill.

There are further proposals under the legislation—Mr Speaker, I hope you will appreciate the fact that I am confining my thoughts right to the bill—but again it talks about changes on regulation.

**Hon Gilles Pouliot (Minister of Transportation):**  
Save us.

1630

**Mr Offer:** The Minister of Transportation interjects, and it is unfortunate that the Minister of Transportation would interject on a bill that is important to so many people. Many people have some real concerns about whether the words of this bill carry out the principle of the bill.

The Minister of Transportation has, as is his wont, the ability to interject and leave, but notwithstanding that, I hope his ministry is subject to the Environmental Bill of Rights, as I know it is. If only the minister were concerned, we would all be a little better off.

It speaks about the words "significant effect," and I have a concern about how those words are going to be used and the real possibility of there being decisions around the words "effect" and "significant," and that some will argue that indeed the effect may be on the environment but not to a great degree and hence is not significant and, as such, escapes the Environmental Bill of Rights.

There is no mechanism where people can deal with those issues. There is no mechanism under the bill where people who disagree with those types of decisions can argue those decisions. It leads people to the vagaries of ministerial decisions as to what is or is not significant and I think we know in this province that it causes an awful lot of people a great deal of concern.

The next point I want to deal with again deals with the issue of not just process but the Environmental Commissioner. I think this is a ballyhooed portion of the legislation which I think deserves some discussion. Again, I move into the compendium, the explanation to the legislation:

"An Environmental Commissioner," it says, "is an officer of the assembly whose key function is ensuring that ministers are made politically accountable for any failure to meet the requirements of the bill. The commissioner will monitor the implementation of the bill and independently review and report on ministries' compliance with its requirements."

It goes on to say about how the commission is going to be set up and some of the things that it can do. All it can do is firstly, monitor, yes, but what happens if a minister or ministry does not comply? What teeth are there for this new reporting mechanism? The Environ-

mental Commissioner—you all know each year we will find in our desks the report of the Environmental Commissioner. That's what's going to happen. The Speaker, I imagine, will stand up and say to all members of the Legislature, "I just want you all to know that the Environmental Commissioner has made his or her report and you will find it in your desks." This will probably be accompanied by a press release from the Minister of Environment applauding the work of the Environmental Commissioner and the monitoring of ministries' action, and we will all leaf through it. But is there anything other?

What happens if the Environmental Commissioner finds that a minister or ministry has not complied with some aspect of an inquiry? What is there? Well, I guess we would all expect that under the Environmental Bill of Rights there would be some activity the commissioner can take to make certain that the ministry does comply. Well, don't look too hard under this legislation for it because it isn't there. The commissioner's role is to monitor and report, and we will have our reports, at whatever cost, in our desks. It will be accompanied with an annual press release of the Minister of Environment. There may be an article in the newspapers about it, but other than that, there will be nothing else.

I think that this area deserves some real discussion in committee because if we are forming a commissioner who is supposed to monitor, then are we not saying that maybe we should be looking at giving the commissioner some power, as opposed to saying this minister was not a good person or that minister was not a good person or that ministry did not follow the rules? Should we really be looking at something that could be attached to the Environmental Commissioner? If there is not to be anything, then maybe we should be looking at the role of the commissioner itself.

There are without question some concerns about individuals who monitor others and their usefulness if they are not given any teeth, any power, behind the monitoring. I want to have a full discussion and expect that the Minister of Environment will welcome that discussion as we go through the bill because it underlines again how the words of the bill do not seem to flow with the principles of the bill. People have a new set of rights and they have a person to monitor that right but they don't have in that person any power to ensure that the rights are in fact not only monitored but carried out.

I believe that there is a differing expectation about what an Environmental Bill of Rights is to the government and to the general public. As we go through the committee hearings, I hope that we'll be able to really talk about what the expectation is in the general public as to what the Environmental Bill of Rights should be to them and find out whether the legislation meets those expectations. I will be interested to hear from the

general public as to whether they would expect a commission monitoring the actions of any ministry to have some power behind its monitoring or its investigation. It would be interesting to find out what their response is going to be when we tell them that there is no power that the commissioner has save the making of a report and its dissemination. Some may argue that that in itself is some good, that that in itself provides a certain moral suasion, but I want to know whether the Environmental Bill of Rights and the expectations that people have are something different and more than moral suasion. As we go through the legislation, only the general public will be able to inform us of that.

There is the opportunity for the general public to ask a minister to review a policy, to review a matter. I want to know in our general discussions, and I hope that the minister or a parliamentary assistant or members of the government either here or during the committee stage will be able to answer this question: If an individual wants the Minister of Environment to review its policy on, let me say, the transport of waste from Toronto to other places, is that possible?

I've heard some strange responses to that. The government has said it is its policy that Toronto's garbage stays in Toronto, even though that might be Vaughan. That is the position of the government. It is the position of the government that there shall be no incineration.

1640

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** That's right.

**Mr Offer:** The Minister of Consumer and Commercial Relations says, "That's right." Everyone knows that those are positions which you have absolutely said are incontrovertible, without change, without discussion; there shall be no public input on that.

Then I say to you, if that be the case, are you not contravening your own Environmental Bill of Rights? The Minister of Consumer and Commercial Relations shakes her head, says, "Well no, our position against incineration—and we shall not change it—our position on the transport of garbage to another place—and we shall not change it—is not in violation of the Environmental Bill of Rights."

The strange thing is that when you read the Environmental Bill of Rights, it does permit people to say, or should permit people to say, to the ministry, "Your policy is this and it is wrong and we want you to change it and this is why."

Now there are members on the government side, I am absolutely flabbergasted, who are shaking their heads and it's like, my goodness, they're falling off their seats. They're saying, "We're not going to change that." The problem is that under the Environmental Bill of Rights—

**Mrs Irene Mathyssen (Middlesex):** You misunderstood.

**Mr Offer:** —which you are ostensibly giving to every person in this province, you are saying to every person in this province, "You have the right to come and put forward these positions." You are saying, "Waste of time."

I say that notwithstanding what your position is on incineration or transport of garbage, and we may agree or disagree, the issue in principle is whether in your Environmental Bill of Rights you are going to give to the people of the province the authority and the right to question you on that policy. Are you going to allow the people to say, "You are wrong"?

I don't have to speak about just the environment. If you gave the people of the province the right to say that you as a government are wrong on issues in general, I believe the lineup would be significant. However, on the environment, there are ministers of the crown who were shaking their heads when they heard the word "incineration" and when they heard the word "transporting" garbage.

I'm saying, in principle, no matter what one's position is, does the Environmental Bill of Rights give to individuals the right to question the government on those policies in principle? The members of the government are shaking their heads in disbelief.

I cannot believe that. I believe this underscores a serious flaw, because is the government saying, "We will only listen to people who agree with our positions," on whatever the matter on the environment is, or does the Environmental Bill of Rights extend to individuals who maybe do not agree with the position the government has taken on a matter on the environment, and maybe do not agree, not for political partisan reasons but for environmental reasons? I am hearing that the government is saying, "We are ready, willing and able to listen to people who agree with us, and we are ready, willing and able to give to those people a full list of rights and responsibilities, but to those who do not agree with us, this bill does not extend to their positions."

If the Environmental Bill of Rights carries as its principle, "The people of Ontario have a right to a healthful environment," as the first line of the compendium says, then there will be people in this province who will say that the government, in environmental matters, is doing something that does not contribute to a healthful environment.

*Interjection.*

**Mr Offer:** For members of the government to say that this just cannot be the case or to believe that everything they do is wonderful and that no one takes issue with any of their concerns, the question must be, does the Environmental Bill of Rights—and I speak

specifically to the member for Middlesex, I believe, who interjects and says I don't understand that, to which—I understand that part. But the question is, and I ask the member for Middlesex, does the Environmental Bill of Rights allow for people to question your government over its policy on the transport of waste outside the greater Toronto area? Does the Environmental Bill of Rights, the member for Middlesex, allow an individual to question your government on its policy of incineration? The issue, member, is not incineration or transportation itself; the issue that we are discussing in principle is whether an individual in this province has the right to question you.

The member for Middlesex shrugs her shoulders and says, well, that's not this bill. In fact, if that isn't this bill, then there is an expectation out there that is far different than an expectation over there. That is something we are going to discuss in some detail as we go through this legislation.

I want to talk about the question of process. I have discussed it in pieces here and there. The Environmental Bill of Rights allows individuals who are dissatisfied with the actions of the government to take issue with the government, to sort of let them in on this decision-making. As you read through the bill, though I am concerned about the real teeth behind the bill, I will say in principle that I like that, where people can question government, push government, make certain that government is accountable to them as it should be.

How does the bill of rights stack up against the Interim Waste Authority process? I have said earlier that I believe the actions that the government took and that the Premier took in the area of expanding Britannia landfill site without any hearing contravene their bill of rights. It's clear. There's no question about it. I have said that if the government takes the position that its actions in expanding Britannia would not be a contravention of its own Environmental Bill of Rights, then the Environmental Bill of Rights is quite flawed. We will be discussing that.

But it's not just in Peel that a landfill site is proceeding. As we know, it's going on I think in Vaughan, it's going on in York, it's going on in Durham, and what do we know? I believe there is a very legitimate question that can be asked when the government passes this bill. That question is going to be by the people who have been somewhat upset over the process that the government has used in the site selection for these new landfill sites. The question will be, does the process that the government has implemented dealing with the site selection process for the megadumps contravene the Environmental Bill of Rights? How could that be?

I think it doesn't take too much to find out how that can be, but you know that just north of Toronto they are dealing with an issue of a number of sites: how they have been selected, when they were selected. The

process under which they were selected has been extensively criticized. I'm not going to go into that in any real detail, but there has been sort of a side issue to the sites that the IWA has decided should be candidates; that is, the Superior-Crawford Sand and Gravel Ltd, which owns land adjacent to the existing site in Vaughan.

**1650**

The IWA, to the vast legions of people who have criticized the process, has said, "These are the only sites that are candidates for the dump site." People have asked, "Is that the site just beside the existing site?" and the answer is, "No, that's not an identified site; that site is Superior-Crawford Sand and Gravel, but that is not one of the identified sites." Of course, the communities have directed considerable time and considerable dollars to the sites that the IWA has identified as potential candidates for a megadump, and Superior-Crawford is not one of them.

Could you imagine the surprise we felt when we were provided with copies of letters which indicated that the lawyers for Superior-Crawford Sand and Gravel in July were negotiating with, guess who? The IWA. Can you imagine the surprise in the community groups who had expended so much of their time on sites that had been publicly identified by the IWA, only to find out there was a secret site, the Superior-Crawford site, under discussion?

I have letters. July 13, 1993, I have a letter which has been signed by C.E. McIntyre, the general manager of the IWA, and it is addressed to the solicitor for Superior-Crawford. That letter refers to two earlier letters of June 2 and June 21. It thanks Superior-Crawford for the "...continued interest in the IWA study. I look forward to discussing this matter further with you."

We have publicly identified processes, publicly identified candidate sites and we have private discussions over something of which the general community is unaware.

I have a letter, because I think this to be terribly germane to the issue, of July 21. It is signed by Lorna Jackson, mayor of the city of Vaughan. It is to Mr Walter Pitman, who is the chair of the Interim Waste Authority. It reads:

"The purpose of this letter is to inform you of the city of Vaughan's opposition to the inclusion in the Metro-York site search of the south york quarry lands owned by Superior-Crawford Sand and Gravel Ltd."

It goes on to say:

"Given that the Superior-Crawford south quarry lands were initially rejected by the IWA because they were declared not to meet IWA criteria in steps 1 and 2, and that the site has been completely off the table for the duration of the public participation process, an insertion

of the site now would be unfair to the people of Vaughan. Neither comparable public input nor screening of all potential sites under amended criteria would be possible without starting the process over from the beginning."

This is from the mayor of the city of Vaughan and it's dated July 21, to the IWA. Would that be enough to stop this? Here is the mayor saying that the people of the city of Vaughan have been dispossessed by this action. I happen to have a letter dated July 30, nine days later. The IWA has already received the mayor's letter. It is again from the IWA representatives to the solicitor for Superior-Crawford. This is after the mayor's concerns.

"Accordingly, the IWA is prepared to give further consideration to the Superior-Crawford proposal." It goes on to say: "We suggest that the Superior-Crawford team conduct data collection work consistent with the IWA approach and in a manner which would, if the technical concerns can be satisfactorily addressed, facilitate comparison of the Superior-Crawford proposal to whichever site is the top-ranked site on the IWA short list."

IWA doesn't listen to the mayor. They get the letter saying the people of the city of Vaughan have been left out, and what do they do? They respond, again secretly, that "IWA is prepared to give further consideration to the Superior-Crawford proposal." This is in July of this year. I could certainly use the statements made by the mayor in my city, Hazel McCallion, about the actions taken by the government over Britannia; the assurances that she had given to the people and how the government undermined that.

Then the question we have is, is this process in violation of your own Environmental Bill of Rights? I would think that probably the government wants the IWA process to proceed a little quicker than the Environmental Bill of Rights, because if the Environmental Bill of Rights ever catches up to the IWA process then someone's going to be able to say that the IWA process, the secret negotiations around Superior-Crawford and the expansion of Britannia landfill site which took place in Peel are in themselves a contravention of the EBR.

The essential issue is, if those are not a violation of the Environmental Bill of Rights, if those people who have been directly and indirectly affected by those decisions of the Ministry of Environment and by Bob Rae as the Premier—if those are not a contravention of the Environmental Bill of Rights, then maybe the Environmental Bill of Rights has to have some work done upon it, because maybe it just doesn't have the teeth our party hopes it does.

But is that all? No, because again with the process there are the Durham sites. The IWA has identified five sites. I'm told that four of the five are in Pickering. I happen to have a press release from the office of the

mayor of Pickering, and I think it's an informative, instructive piece that should be part of this debate. I won't read all of it, but Mayor Wayne Arthurs states, and I hope the members of the government, as they contemplate what the Environmental Bill of Rights means, are cognizant of the position of Mayor Wayne Arthurs, "Of the five short-list sites in Durham, four are in the town of Pickering." Now let's take a look at the four.

"Site EE4 is located in the planned path of Highway 407." He goes on to say in this matter, "Is Queen's Park planning a four-lane tunnel under the garbage dump, a bridge over it, or will it expropriate extra land for a costly detour around the megadump?"

"Sites EE10 and EE11 are within the planning area for the proposed Seaton community. The province has touted Seaton as a model community of over 75,000 people. Is Queen's Park actually proposing to build Seaton around one of the largest garbage dumps in Canada?" He asks that question.

"Site T1 is located in the agricultural preserve announced by the Rae government as part of the Rouge park." I'm quoting: "Preserving good farm land by dumping garbage on it is one of the strangest notions I've ever heard come out of Queen's Park."

So we have five sites. Four are in Pickering, and of those four, one is on Highway 407, two are within the planning area of the proposed Seaton community and the other one is on the agricultural preserve.

## 1700

Let's guess what the IWA is going to choose as its site. Let's see. Is Newcastle worried? Let me tell you, I would be. This grand planning process of the IWA is a garbage dump through Highway 407 or a garbage dump through Seaton or a garbage dump on agricultural land.

The question is, to hearken again back to the EBR, if someone is aggrieved by the process that the IWA has taken, if someone in Newcastle, if someone in Peel, if someone in Vaughan says, "Wait a minute, this is a done deal from the beginning, and we have been left out"—the people around Britannia are looking at an expanded site without a hearing. The people in Vaughan are looking at secret negotiations with Superior-Crawford. The people in Durham are subtracting four from five and, let me tell you, they're coming up with Newcastle. They're saying, "This really isn't an environmental process; this is a political process which in our opinion contravenes the Environmental Bill of Rights."

The question we have to ask is, is that in fact the case? Because if it is, the government is in trouble; if it isn't, the government is in trouble. They're in trouble because their Environmental Bill of Rights is not an environmental bill of rights. It is a statement without

any substance. It is perceived action without any teeth. For people on an issue as large and as important as the megadump in their community, for people who are concerned with the transportation of garbage, for people who have their own opinion on incineration, if they can't call the government of the day accountable on those under this Environmental Bill of Rights, then just maybe we have to really take a hard look as to what the EBR is about.

Mr Speaker, you will know that our party is in favour of the bill of rights because of the principles that underlie its foundation: accountability, an open process, a general public knowledgeable as to what is happening, a bill with teeth. That is the assumption we make in support of that principle.

We will require full public hearings on this bill to make certain that the bill indeed meets in reality with its principle. We will want to make certain, and you know, Mr Speaker, that our party when in government embarked on a variety of environmental initiatives, initiatives that I am very proud of to this day. You know and members know that we and I would hope all members of the Legislature are in favour of the general public having real access, real input, real ability under the Environmental Bill of Rights to call government to order when an issue arises that they feel is important.

It is on that basis that we support the bill in principle. But I have used the short time available to discuss this matter outlining some of our concerns. Those who have been watching have known that I have addressed my concerns in terms of the compendium that the Minister of Environment attached to the bill. Indeed my comments have been in response to their own explanation of the bill, and the concerns that we have that once more much is left to regulation, the concerns that we have that over a significantly long period of time we still do not have a statement of environmental values from the 14 ministries; my concern that it is improper to embark on public hearings without those statements. It is only by seeing how other ministries have incorporated this bill that we as legislators, as representatives in our community, can be assured that the Environmental Bill of Rights will be used as a way to strengthen the environment. Without knowing those values, we operate very much in a vacuum.

I have used this time to talk about some of the concerns that my party has with respect to the power of the commissioner. If we are already setting something like that up at, I would suggest, significant cost, then do we give that person power or is that person merely a reporting mechanism?

I have concerns that the words around the actions are, for want of a better word, mealy-mouthed—I use the hyphen—and that there is tremendous opportunity to escape around the Environmental Bill of Rights. In fact, the worst possible scenario would be for ministries to

tout their adherence to the Environmental Bill of Rights using their own values which in fact detract from protecting the environment. I do not want this piece of legislation to be used in such a way that it hurts further work done in and around environmental protection.

I have concerns about the process. I want to make certain that people have the right to question government over certain aspects and decisions which it has made, and I will tell you something: There is much more that could have been said dealing with the administration of these dumps.

The very recent appointment of David Crombie—and I read in a report where it says, "Ontario has dumped the political hot potato of running the three megadumps planned for the Toronto area into the lap of former Toronto mayor David Crombie." This report goes on to say, "Metro Toronto Councillor Joan King, who chairs the council committee that deals with garbage, said that it would be hard to reach a deal with Metro, which still would like to ship its garbage to an old mine near Kirkland Lake, and York region, which is opposed to taking Metro garbage."

I am mindful of the recent and significant criticism in the Toronto Star over the "NDP Tactics on Trash Site." I do not have the time to read this very important editorial of September 26, but I think we should all read this, because I believe that it really does mirror an awful lot of concerns.

The questions we have: Are people going to be able to use the Environmental Bill of Rights to call this government to order in dealing with the way in which it has made megadump selections under the IWA? Can the people of Britannia call this government to order when its site has been expanded without any hearing? Can the people in York call this government to order when it carries along secret negotiations with the Superior-Crawford site? Can the people in Durham call this government to order when we have five sites selected, four of which are clearly without merit, the other of which only time will tell? Can this government be called to order when we have an action which took place in Hamilton last week where school children were playing in an abandoned industrial plant, and only by the action of that mayor was it possible to avert serious, serious tragedy?

If this bill doesn't stand that test and those tests which we have before it, then we will not have the bill with the expectations that the general public have. This bill has tests to meet. This bill has tests to meet. We will require full public hearings in order to ask these questions and others. We will need the input of the general public on what their expectations are of an environmental bill of rights. We will need the input of the task force members, who in many ways created this bill, to talk to us about their expectations of the bill. We will want to hear from them on this and other areas.

We believe that the bill, in principle, should be supported. But it is folly for one to say that it is without any question, that there are no concerns. There are tests that have to be met, there are hurdles that have to be overcome, there are questions that have to be asked and there are responses by the minister that must be given, and public hearings are the way in which that can be accomplished.

#### 1710

Statements of environmental values are crucial. We cannot go to step 2 if we do not know what step 1 is. We cannot move forward if we do not know what the rules and regulations and values and the things that are important to other ministries are, laid on the table for members of the committee and for members of the public to understand and analyse and to comment upon.

As I said earlier on, I think it is important that we recognize the members of the task force who gave so much of their time to making this bill a reality. But it is also important for us to say: We have questions. We have concerns. We do want to make certain that the Environmental Bill of Rights is in fact a bill of rights for individuals in this province who have concerns and questions about environmental actions taking place by any ministry in the government, as well as the government as a whole.

I am looking forward to that debate. I am looking forward to asking the minister, ministry staff and the parliamentary assistant to the minister questions on those issues. They are crucial. Many people have indicated their concerns about actions taken by this government in a wide variety of environmental areas. Is this bill the vehicle through which those areas can be fully addressed? Only the committee will be able to address that, and it is up to that government to ensure that the general public and members of this Legislature have, not with regulation but through legislation and through full public hearings, the right, the ability, if not the responsibility, to inquire beyond the Environmental Bill of Rights principles, into the words, the substance and the teeth behind it.

I look forward to taking that discussion forward into committee hearings.

**The Acting Speaker (Mr Noble Villeneuve):** Questions and/or comments?

**Mr David Tilson (Dufferin-Peel):** I'd like to congratulate the member for Mississauga North for his comments. I detect much more cynicism in his comments with this bill than in other speeches that he has given in this House. Quite frankly, I don't blame him, because certainly the intent of the bill, and we all understand what the intent of the bill is, is to give each Ontario citizen the right to a clean environment. As I think the member for Mississauga North stated, in principle we all agree with that. That's the ultimate aim. But are we building up a false sense of security?

I think many of the remarks that were made by the member for Mississauga North say that we are, that we're setting up expectations that I don't believe are going to be achievable by this government with this piece of legislation. Certainly, the principle behind the bill of rights is worthwhile, but I think that many people in this province will have a false sense of expectation as to where we're going with this bill.

The other issue, of course, that the member dealt with, and with which I wholeheartedly agree, is that it's going to set up a tremendous amount of bureaucracy not only with the new commissioner's office, but with all the various ministries that are going to have to fill out forms that we've never seen before, as well as the private sector and the bureaucracy that they're going to have to go through.

I guess the cost: When we hear the Treasurer of this province saying that we're literally going down the tubes because of his mistake in calculations of revenue and the cutbacks that the government is trying to make through the social contract, it is a rather strange time to be implementing a whole new bureaucracy, not only with the commissioner's office, but with all the other reports that are going to have to come from the 14 ministries that are going to have to take part in this exercise. I thank the member for his comments and I look forward to participating in this debate.

**Hon Ms Churley:** I want to address specifically, because I only have two minutes, the issue of incineration of solid waste, which the member alluded to several times in his comments. I want to say that the government didn't make this policy in a vacuum, that it goes against the very grain of our policy, and that is committed to the 3Rs, the reduction of solid waste. In that way, it's a resource consumption issue: out of sight, out of mind, and then we can forget all about it. That's one problem with debating this issue: It goes against the grain of the 3Rs.

The other problem is that the pollutants go up the stack and those pollutants, and we're talking about dioxins and furans and mercury, those kinds of things, go into our water, they go into our land and they go into our food chain. Dioxins are some of the deadliest chemicals known to humankind.

Finally, the temperatures in these incineration plants have to be kept very high, and consistently high, because the actual combustion system creates dioxins. You have to have a very consistently high temperature, which means you also have to have paper and other solid waste to keep that temperature going.

It's very clear to this government that even having a debate around incineration when we're trying to reduce waste—we have to look at our waste, we have to figure out how to reduce it, and burning it up and redistributing the pollutants all over the place and into our food chain is not going to solve the problem. I say to him

that this bill is open to a lot of discussion, but there are certain policy decisions that government makes for good reason.

**Mr Charles Beer (York North):** I want to comment on the words of my friend and colleague from Mississauga North, but I must say to the minister, who has just spoken, whatever one's views may be on incineration, let me tell you, a megadump at no time is any better than any others that are being proposed. In fact, I would argue that what is being proposed by this government through its legislation is far worse than having a full environmental assessment of all the different kinds of procedures that might be followed.

If the government wishes to say something's off the table, it has that right, but then to say that what we are going to have to accept is the kind of travesty that's being put through in terms of Bill 143 and the IWA process is very, very difficult to swallow. I think that's why my colleague from Dufferin-Peel noted a certain tone of cynicism in the comments that the member for Mississauga North made.

I think all of us who are involved in this whole issue around the IWA and the various dump sites in Durham and in York and in Peel, say to ourselves, "All right, if we take this wonderful Environmental Bill of Rights, what impact might that have had, had it been in existence when these various proposals came forward?" I suppose one of the answers is none, because that probably would have been yet another bill or another item that would have been listed saying that Bill 143 can override anything that is in the Environmental Bill of Rights.

One of your own members on the government side today, from Durham-York, talked about how the people in Georgina are feeling a year and a half later as this process goes on in terms of their rights, and I could say the same thing for people in Caledon, and for people in Vaughan, Markham and various parts of Durham. So there is cynicism around this bill and I think that the member for Mississauga North brought out that juxtaposition between what the government says it wants to do and what it is practising.

**The Acting Speaker:** We can accommodate one final participant. The honourable member for Mississauga South.

**Mrs Marland:** I think it's unfortunate when people rise in this House and they really do not know what they're talking about.

*Interjections.*

**The Acting Speaker:** Order, please.

**Mrs Marland:** On the subject of incineration, personally, I'm on the record as being opposed to incineration, but I'm not opposed to incineration for the reasons the Minister of Consumer and Commercial Relations is, because her arguments are the arguments,

I say with respect, Madam Minister, that were made 10 or 15 years ago about the high temperatures and so forth. You have to be very careful. You've got all kinds of people now who will come back to you and say, "Aha, but I can maintain those temperatures." I won't give their name, but there is a cement company in my riding which is dying to burn municipal solid waste because they can maintain those high temperatures.

1720

What you're saying about what incineration of municipal solid waste creates in terms of the byproducts, being dioxins and furans—it all depends on what is being burned. That's where the concern comes in. You've got to be very careful when you make those arguments, because people are going to stand up and say to you, "Look, we can sort our garbage so that none of that is in there and there's no concern." I am still opposed to incineration, but not for the same reasons you're giving, because the reasons you're giving, frankly, are out of date.

When we look at what this government has done and the opportunities it has lost, I have to cite the example of the wonderful tire tax put on by the Liberals: Millions of dollars collected, and we still have no solution for the safe disposal of tires. They haven't succeeded, and you haven't succeeded.

**The Acting Speaker:** This completes questions or comments. The honourable member for Mississauga North has two minutes in response.

**Mr Offer:** Thank you to those who have taken part in the wrapup. I think the comments we have heard in these final 10 minutes really underline the need to take this bill to committee for public hearings. I think there are some real questions. I think the Minister of Consumer and Commercial Relations has really misunderstood the point I was making.

In the bill itself, part IV provides for individuals in this province to ask for a review in relation to Ontario policies, acts, regulations or instruments. This is allowed for every Ontario resident who believes that the review should be undertaken to protect the environment.

The example I used was whether an Ontario resident, in relation to part IV of your government's bill, has the right to ask for a review in principle on an issue in the environment area. I did use incineration as an example, not as one who proposes or opposes incineration, but rather in principle whether an individual in the province has a right to have that policy reviewed because they don't agree with your government. The distressing response which I received from that minister is that they do not. If they do not in principle, then the Environmental Bill of Rights and the expectations which your government has attempted to spin out is not met in substance and is deserving of some very strong review as we move towards committee hearings.

**The Acting Speaker:** Further debate, the honourable member for Dufferin-Peel.

**Mr Tilson:** I'd like to participate in this debate dealing with the act respecting the Environmental Bill of Rights which was introduced by the minister on May 31 of this year. I think the comment I'd like to start off with is a continuation of my response to the member for Mississauga North, that is, that all of us want to create something that will give each Ontario citizen the right to a clean environment. There's no question that's what the present NDP government is trying to do, and I think it can be commended for that.

The difficulty, and I think this will reveal itself as the committee process proceeds, is that those expectations may not be reached. I look forward, as does the member for Mississauga North, to participating in that committee process and listening to many of the interest groups from around this province, whether they be business, environmental, agriculture, educational—there are many, many groups that will be participating in this process—and hearing their thoughts as to whether or not it will work.

The introduction of this bill, as has been said by the minister, came after a long and exhaustive process for the New Democratic government and the former Environment minister for Etobicoke-Lakeshore, who I believe started the process. As an opposition member, this member introduced Bill 12, which was An Act respecting Environmental Rights in Ontario. This bill was read for the first time in 1989 and proposed broad powers to sue polluters even if a litigant is not directly affected by the offence.

This bill created much fear in the province of Ontario; it was too extreme. I must say, in talking to many different groups, this is the fear that perhaps resulted in the business community and the environmental communities getting together and coming to some form of consensus, and they did. I will congratulate the government in getting together with some of these groups and forming what has resulted in Bill 26, but I believe, from my discussions with many of the people who participated in that task force, that they were not necessarily coerced but were shown with Bill 12 exactly how far a government could go in creating a bill of rights.

During the election campaign of 1990, we remember that the New Democratic Party promised the immediate, and I emphasize the word "immediate," passage of an environmental bill of rights. As I said, business interests feared that the former Minister of the Environment and her government would force legislation on the province which was similar to her private member's bill, the former Bill 12.

The throne speech in November 1990 also promised the introduction of an environmental bill of rights in the first session. Of course, here we are, three years later,

almost four years later, and we are now finally getting around to discussing the subject of the bill of rights which is before this House now.

The government did, to its credit, introduce a consultation process. An environmental advisory committee was formed in that year, in 1990, to develop the principles for future legislation, and in 1991 a task force of business, legal and environmental interests was brought together to work on a draft bill.

Finally, we came to July 1992 and the task force released its report, in which all parties believed that the development of the bill was as it should be, and from my observations, there's general consensus about the workability of this bill. I too, like the member for Mississauga North, think the Progressive Conservative Party certainly agrees in principle with the Environmental Bill of Rights. The name alone, whoever thought it up—of course anyone is going to agree with an Environmental Bill of Rights; we all want a clean environment. The question remains, are we going to get it with the Environmental Bill of Rights?

Mr Wildman, the current minister, introduced the legislation which essentially mirrors the draft bill that was put forward by the task force in July 1992, I believe it was. The overall intention is to provide the residents of Ontario with the necessary mechanisms to protect the environment when the government fails to do so.

I know the minister has spent some time on outlining the major provisions of the bill. I believe it's important to go through those, because in principle we accept many of them and we oppose many others, which we will reveal in our debate not only in this House but in the committee process.

There's a minimum standard for public notice and participation in environmental decision-making by designated ministries within the province of Ontario.

1730

There will be the creation of an Environmental Commissioner to ensure the public accountability for all environmental decisions, and I too, like the Liberal critic, am most critical of that, particularly at a time when the citizens of this province are crying out again, "Oh, another commission, another task force, more bureaucracy." Particularly the civil servants in this province on the one hand are being told to cut back, jobs are being lost, and yet here's the creation of a new bureaucracy. What effect will that have on the general civil service and the availability of governmental service to this province?

Thirdly, the bill will allow residents to initiate court action to protect public resources. There will be increased access to the courts for individuals suffering direct loss as a result of environmental neglect, and of course I'll be looking forward to hearing representatives

from the legal community indicating exactly how much business they're going to be getting as a result of this legislation. I believe there will. Some of the people from the task force who have legal connections say that's not so, but of course those people are supporting the piece of legislation. But with any new piece of legislation which is as complicated as this one, there's no question that there's going to be a period of time when not only the government but members of the public are going to have to spend substantial amounts of money in the courts to determine what in the world this legislation means.

The fundamental principles which provide the foundation for the Environmental Bill of Rights include that, "The people of Ontario recognize the inherent value of the natural environment," very warm and cuddly sort of legislation, and the preamble has been read, and of course we all do. "The people of Ontario have a right to a healthy environment." Well, how can you oppose that? Of course we all do. "The people of Ontario have as a common goal the protection, conservation and restoration of the natural environment for the benefit of present and future generations." Of course we support that. How can anyone not support that? Finally, "While the government has the primary responsibility for achieving this goal, the people should have means to ensure that it is achieved in an effective, timely, open and fair manner."

Now, we will be going through, in this House and in the committee process, the details of the bill, and I think that we should spend some time on that just so we know where the bill is going.

The bill contains eight parts. Part II establishes the basic parameters for public participation in environmental decision-making and regulatory enforcement. The key components of part II are the creation of an environmental registry and the requirement of certain ministries to draft a statement of environmental values.

I have no idea, nor does this government, what that is going to cost, what bureaucrats are going to have to be hired. I think the minister has already stated, in this House and in his press conference, that the commissioner's office is only going to have 15 people. We all know there are going to be bureaucrats who are going to be required for each of the 14 ministries to draft their statement of environmental values. Who's going to do this? Someone's going to have to spend time on that.

Finally, there is going to be the environmental registry. That's going to cost the taxpayer of this province a substantial amount of money, and we have had no details as to that. I'm sure it will come forward in the committee stage, and if it doesn't, the questions will certainly be asked. I might as well put the ministry on notice that if the questions aren't asked, I will be asking those questions and hope to have substantial detailed answers as to the amount of staffing that it's

going to require to put this whole package together, whether it be each of the 14 ministries or whether it be the commissioner's office or whether it be the environmental registry, because all of that is going to require a substantial number of people to operate.

The environmental registry, as has been indicated, will be an electronic database which will provide the public with information on proposals and government policy which may affect the government, and for some reason 14 ministries—I don't know why, and the member for Mississauga North raised this point—within the Ontario government will be required to draft a statement of environmental values. Why those ministries and not other areas, why some areas are excluded, we don't know, but there are going to be 14 and I'll be spending some time on that in my comments.

"Each individual statement will explain how the ministry intends to incorporate the principles of the Environmental Bill of Rights into their policymaking process."

All of those words just ooze with bureaucracy and cost, and I'm very concerned about where the government is going on that on the one hand and, at the same time, out of the other corner of his mouth the Treasurer of this province, or Finance minister of this province, is talking about restraint and cutting back.

"The 14 ministries currently subject to the Environmental Bill of Rights"—and I suppose that can be expanded—"are Environment and Energy, Agriculture and Food, Transportation, Municipal Affairs, Housing, Labour, Management Board, Natural Resources, Northern Development and Mines, Consumer and Commercial Relations, Finance, Health, Culture, Tourism and Recreation and Economic Development and Trade."

It will be interesting what those people can do to add to the debate and why it's those and not others and what exactly they'll be telling us, but I guess we'll find out when they prepare their statement of environmental values. It'll be interesting to hear what they have to say.

Part III is the part of the bill that gives me the greatest concern, because it's the creation of a new bureaucracy which doesn't really seem to do anything other than to report to this House once a year, and that's the establishment of an Environmental Commissioner. This commissioner, as spelled out in the legislation, will be an officer of the Legislative Assembly and appointed for a five-year term. It'll be interesting to see who the government names to that particular position and how independent that position will be. Robin Sears was mentioned, but it'll be interesting to see who they choose. Will that person be politically independent enough to properly do the job that the government is putting forward to solve with respect to environmental problems in this province?

This person, this Environmental Commissioner, will

ensure that the government complies with the requirements of the Environmental Bill of Rights, and it will be interesting to see how he or she is going to do that.

Parts IV to VI outline the new mechanisms for review of existing regulations and investigations into alleged infractions. I might add, we're having this employment equity commission—that gets into another whole subject. Of course, we're having commissions named all over the place. But the Environmental Commissioner—it will be interesting to see exactly how effective they're going to be when we know that already the ministry is having problems enforcing many of the problems that they have in this province now on environmental problems—in other words, the delays that it takes and the effectiveness that it takes. Will this commissioner's office be any more effective than the process we now have?

Why are we creating another bureaucracy? Why can't we improve the bureaucracy we have now? We're admitting—not we, but the government is admitting—that the bureaucracy it has now is ineffective, so we're going to create another bureaucracy to try to solve these problems. Why can't we use an existing bureaucracy? That question, I might as well put the government on notice, will be asked. I think a figure has been given by the Environment minister of \$4.5 million for the first year and I stand to be corrected, but it's a substantial amount of money. Just ask the people who are losing jobs in the civil service what they think of that.

Finally, any two residents in Ontario may file a sworn statement with the commissioner requesting an investigation into an alleged violation of environmental regulations, and the complaint will be forwarded to the appropriate minister who will again determine if an investigation is warranted.

Very strange that it's being left to the minister's discretion as to whether or not that should be processed. In other words, there's an awful lot of political discretion that's being made available in this bill.

Either there's an Environmental Bill of Rights giving the people in this province rights or there isn't, and yet an awful lot of it, when you start reading the wording of the bill—and I will be perusing some of the sections in the time allowed, asking questions as to why there's so much political discretion as to whether or not the government of Ontario is complying with its own bill of rights.

Part VI outlines the conditions for initiating legal action against an alleged violator of environmental laws. Legal action is considered to be a last resort. That is the spin that has been put on by the government, that legal action will be a last resort. Maybe they're right; maybe they're not. I still say you get new, complicated pieces of legislation, substantial amounts of money being involved. There will be litigation. There will be a boon to the legal profession in getting involved in this area.

Again, it's a cost. It's a cost to the taxpayer. It's a cost to the public.

**1740**

Of course, we all say it and we all come back to the preamble and the importance of having the right to a clean environment, that we must have these things. Is this the best way to go about it? Must we take the most expensive route to solve these problems? I hope that during the committee process we'll be able to canvass whether or not we need this type of experiment to develop a clean environment in the province of Ontario.

Individuals can proceed to court if a response to their request for an investigation was not received in a reasonable time or an unreasonable response was received, whatever in the world "reasonable" means; a lot of words that have yet to be defined. That seems to crop up in a lot of pieces of legislation by this government as to what does "reasonable" mean and who says it's reasonable, but that remains to be seen. No damages can be awarded, as I understand it. The court can order the activity to be terminated.

Part VII deals with the issues of employee reprisals and whistle-blowing. Complaints may be filed with the Ontario Labour Relations Board when an employee feels an employer exhibited harassment or intimidation because of actions taken by the employee to protect the environment. I will say, of course, that the Environmental Bill of Rights will not replace any existing environmental legislation. This bill, according to the government at least, will promote more effective enforcement and application of existing standards.

What about the GTA dumps that are being proposed around this province? What about the subject that's been raised of incineration, if a government decides to get an incinerator? What about if Hydro decides to put a corridor down some farm land out in rural Ontario? What about if this province decides to put dumps on farm lands, as it is intending to do in this province, in the three regions of this province?

The answer is, the bill of rights has no application whatsoever to this process—none. Why? Because the government says the IWA is reaching out and it's consulting and it's dealing with all of these problems. I'll tell you, the public doesn't buy it and the Environmental Bill of Rights is either giving people in this province rights or it's not.

I say the members who have spoken to date have quite correctly said that when you get into these very difficult issues of whether you're talking incineration or dumps on prime farm lands or dumps in the middle of the Niagara Escarpment—one of the members has got a private member's bill, the member for Halton North, which I get literature on every other week, but I agree with them. Why would you put a dump in the middle of the Niagara Escarpment, which is trying to preserve our natural beauty of this province? Why would you do

that? The Environmental Bill of Rights isn't going to give one iota of protection to those people who are concerned with that issue.

It's been interesting that some of the interest groups have given response. Some of them have been members of the task force. As I say, I will congratulate them because normally business and the environmental groups are at opposite ends of the poles but they did on this bill become closer together, I believe for the reasons I've stated, because the business people were afraid of Bill 12, the original bill that was put forward by the member for Etobicoke-Lakeshore. They knew that if they didn't do that, they would have a dastardly bill in Bill 12.

They've made it quite clear that some of the people will say that this bill has gone too far, and others will say it's not gone far enough, and that I suppose is standard criticism for many bills in this place. However, I guess there are certainly many reservations that we in the Progressive Conservative Party have that we're going to express. We certainly support, and I reiterate, we support, the principles of the Environmental Bill of Rights, but we have many reservations, which members from our caucus will be dealing with as the debate unfolds.

One of the members, Ian Blue, I believe, of the firm of Cassels, Brock and Blackwell, indicated that the bill is an admission by the government that the Ministry of the Environment has not doing its job. That was stated in the media, I think, in July 1992. It really is. What in the world do we have a Minister of Environment for? If you have environmental problems—the issue that was raised in the House today, the topic of chemicals being found at abandoned plants in Hamilton, and there was one up in Midland earlier in the summer, where all of a sudden these strange chemicals surfaced because companies have gone bankrupt. Yet nothing was done, and we have school children playing with mercury. The people of this province are not exactly confident in this government, particularly the Minister of Environment, when these strange things happen.

Of course, the member for Mississauga South commented on the tire tax of the Liberals and asked, was that going to solve the problems? Yet we have Hagersville and we're still upset and we're still concerned about the disposition of tires. Is the bill of rights going to deal with that? Well, we've ruled out incineration; we've ruled out shipping it to other countries; we've ruled out all kinds of things. What rights do the people in Ontario have? I'm as cynical as some of the other members who have spoken in this House as to what this bill is going to do.

Mr Blue claims that the bill will shift regulatory and enforcement power from the government to individuals and organizations. He stated: "This will only increase costs of legal services, because any time someone

applies for an investigation, companies will have to hire lawyers to oppose it. It will increase the cost of doing business in Ontario."

Again, it gets back to the whole issue of doing business in the province of Ontario. What a strange time to do this. People coming into this province want to develop, want to put forward industry, which is going to create jobs, which, if you read all the polls, the people in this province are more concerned with than any other issue, including environmental issues, which is a rather startling, desperate move by the public. They're more concerned with staying alive, and yet we have more regulations coming forward of an Environmental Bill of Rights that is going to discourage industry from moving to the province of Ontario.

We've had it up to here with taxes and regulations and funny labour laws and employment equity laws and all of the strange stuff that is driving people completely bonkers. They're leaving the province, they're going bankrupt, and this is another piece of anti-business legislation.

However, we'll try to work with the government in offering suggestions to improve it. I have already commented that we're fearful of the new bureaucracy that is being put forward by this government, with the commissioner and throughout. It may well be this government will listen to us in the Progressive Conservative Party for once and cut back on legislation at the very start, at the time of creation, and listen to other ways in which we can make the environment in Ontario a better place.

Again, I've questioned the whole ability of the government to deal with existing complaints. I really challenge this government to show to me and the people of Ontario that the commissioner's office or any other bureaucracy that it's going to put forward is going to be able to investigate and adequately deal with the complaints that are going to be coming forward under the Environmental Bill of Rights, when the Ministry of Environment, generally speaking, is clearly having a difficult time meeting present requirements.

So we're going to have an independent Environmental Commissioner, and we'll see exactly how independent this person is. We'll be waiting anxiously to see who they appoint who will oversee the bill. More bureaucracy, which will be most difficult to get rid of once it's in place.

1750

Keep that in mind when you're supporting this bill, members of the government, that you're creating a bureaucracy that you're going to have a difficult time to cut back on. You think you have problems with the social contract? Well, all of these commissions and task forces are certainly eating away at the dollar that the people in this province are trying to earn.

We're going to have the creation of a province-wide environmental registry with information on upcoming environmental decisions and how to participate. Where is the money going to come from to create this new environmental registry? We've got the Treasurer, the Minister of Finance, saying to us: "The province is broke. We have no money. The revenue that we're expecting isn't coming in." How are they going to pay for this stuff? It's the same thing we hear in bill after bill this government has. There is no sign of restraint. It's as if there's a black hole of money and there's no end to it. Well, eventually the people of this province are going to say to governments such as this, "Enough is enough."

I congratulate you on attempting to deal with, clearly, the environmental problems we have in this province. I really do congratulate you. It took you three years to get around to doing something, but at least you're starting.

But is it the most economical way? Hopefully, the government bureaucrats will come on the opening day of the committee hearings and tell us all the various alternatives. Will they do that? Well, it remains to be seen. I certainly hope they do, to show us the other ways that are available to us to enforce the rights of the people to make sure we have a clean environment. We look forward to hearing that during the committee process, about the thinking of this government in reaching the solution it did.

It's ironic, of course, that it was the former Minister of the Environment, the member for Etobicoke-Lakeshore, who brought us Bill 143 and brought us the three superdumps in the greater Toronto area that are going to be coming, although that gets to another area. The Minister of Environment admitted today that it's going to be sometime in the autumn, which could go—autumn ends December 21. We don't really know when the IWA is going to come up with its final three sites, and again the public doesn't seem to have any control of this; they don't seem to have any control at all.

But I will pat Mrs Grier on the back, because she certainly made a remarkable political achievement when she got together the business community and she got together the environmental interest groups in this province to come up with a report from a task force that has in turn resulted in this bill. There is something positive I'm trying to say. At least she got positive reviews from both business groups and environmental activists.

Much time will be spent during the committee process with the bill. I've read the bill and, as I say, it's much more complicated than the minister says. We'll have to spend some time on that in the committee, and I hope sufficient time will be given by the government to deal with that.

Just comments on section 15 of the bill: I'm not going to read the section, but it has to do with proposals

for policies, acts and regulations, and it seems to me that an awful lot of political discretion is being left with the ministers to decide: "If a minister considers that a proposal under consideration in his or her ministry for a policy or act could, if implemented, have a significant effect on the environment."

In other words, if the minister considers, if he or she sees fit, that's what's going to happen. Some Environmental Bill of Rights. It's very, very political when you have a minister deeming what is significant and what isn't significant.

To go on to other sections—and as I say, the time doesn't permit me to spend too much time on the sections and I hope to get involved when we get into the committee process.

Section 30 has to do with exceptions, other processes, in terms of proposals. The opening sentence says, "Sections 15, 16 and 22 do not apply where, in the minister's opinion, the environmentally significant aspects of a proposal for a policy, act, regulation or instrument," and then it goes on. Is this a bill of rights for the people of Ontario? If individuals want to challenge the minister, they don't have a right. It's not a bill of rights, it's nonsense.

I think they're going to have to spend considerable time in dealing with the issues in this bill, because there's a lot of strange pieces of legislation.

The Environmental Commissioner, part III: You start reading this section and you can see it just oozes of bureaucracy and paperwork that's going to come forward, particularly when you have a commissioner who's going to be reporting to this House once a year. That's really all that's going to happen.

Section 54 on staffing: I think the minister has said 15. That's just for the commissioner, although under subsection 54(1) it says, "The Environmental Commissioner may employ such employees as the commissioner considers necessary." It's going to be interesting to see if he only needs 15 people. I say that by the time he or she is finished, they're going to need a lot more than 15.

We're talking about a brand-new bureaucracy which is in the sole discretion of the Environmental Commissioner, who "may employ such employees as the commissioner considers necessary for the efficient operation of his or her office and may determine their remuneration," another interesting phrase, "which shall be comparable to the remuneration of similar positions or classifications in the public service of Ontario and

their terms of employment." Then it gets on to benefits and pensions.

We're just going to have a wonderful time creating a brand-new bureaucracy that is going to accomplish what? Well, section 57 talks about the functions.

It really doesn't seem to me to have many teeth other than reporting to this House, so I look forward to spending more time on the Environmental Commissioner and what he or she is going to be dealing with in solving the problems of this province with respect to environmental issues.

There's one other section I wanted to refer to. In section 86, and this has to do with the process, it talks about the Attorney General. Subsection 86(2) says, "The Attorney General is entitled to present evidence and make submissions to the court in the action." If there are problems going on in this province of Ontario as a result of actions that are being taken by governments in this province or ministries in this province, why in the world is it that the Attorney General is entitled to present evidence? The Attorney General should be required to give evidence, particularly if it's a problem that's being caused by a ministry or a government, whether it's this government or a Liberal government or a Conservative government in this province. It's solely in the discretion of the Attorney General to present evidence and make submissions to the court and to appeal a judgement.

We get into section 90, which is another interesting section, the last of the sections I'd like to refer to. This has to do with a stay or dismissal in the public interest, a nice general phrase. This is when we get to the court stage. "The court may stay or dismiss the action if to do so would be in the public interest." Dare I say that if a court is persuaded by a government that it's going to be too costly, section 90 says, "The court may stay or dismiss the action if to do so would be in the public interest."

I guess it's my fear that this government, prior to becoming elected and during the election campaign, made all kinds of promises for making an Environmental Bill of Rights, but is it realistic? Is it giving the teeth that the people of this province want to create rights that they have to make a clean environment?

I would like to adjourn this debate.

**The Acting Speaker:** It now being 6 of the clock, this House stands adjourned until Tuesday, September 28, at 1:30 of the clock.

The House adjourned at 1759.

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

**Lieutenant Governor/Lieutenant-gouverneur:** Lt Col The Hon/L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD

**Speaker/Président:** Hon/L'hon David Warner

**Clerk/Greffier:** Claude L. DesRosiers

**Senior Clerk Assistant and Clerk of Journals/Greffier adjoint principal et Greffier des journaux:** Alex D. McFedries

**Clerk Assistant and Clerk of Committees/Greffière adjointe et Greffière des comités:** Deborah Deller

**Sergeant at Arms/Sergent d'armes:** Thomas Stelling

Member/Député(e)	Constituency/Circonscription	Party/Parti	Other responsibilities/Autres responsabilités
Abel, Donald	Wentworth North/-Nord	ND	deputy government whip / whip adjoint du gouvernement
Akande, Zanana	St Andrew-St Patrick	ND	parliamentary assistant to the Premier / adjointe parlementaire du premier ministre
<b>Allen, Hon/L'hon Richard</b>	Hamilton West/-Ouest	ND	Minister without Portfolio, Ministry of Economic Development and Trade / ministre sans portefeuille, ministère du Développement économique et du Commerce
Arnott, Ted	Wellington	PC	Vice-Chair, standing committee on estimates / Vice-Président du Comité permanent des budgets des dépenses
Beer, Charles	York North/-Nord	L	Chair, standing committee on social development / Président du Comité permanent des affaires sociales
Bisson, Gilles	Cochrane South/-Sud	ND	parliamentary assistant to Minister of Northern Development and Mines, parliamentary assistant to minister responsible for francophone affairs / adjoint parlementaire de la ministre du Développement du Nord et des Mines, adjoint parlementaire du ministre délégué aux Affaires francophones
<b>Boyd, Hon/L'hon Marion</b>	London Centre/-Centre	ND	Attorney General, minister responsible for women's issues / procureure générale, ministre déléguée à la Condition féminine
Bradley, James J.	St Catharines	L	opposition deputy House leader / chef parlementaire adjoint de l'opposition
Brown, Michael A.	Algoma-Manitoulin	L	Chair, standing committee on general government / Président du Comité permanent des affaires gouvernementales
<b>Buchanan, Hon/L'hon Elmer</b>	Hastings-Peterborough	ND	Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation
Callahan, Robert V.	Brampton South/-Sud	L	
Caplan, Elinor	Oriole	L	
Carr, Gary	Oakville South/-Sud	PC	Progressive Conservative deputy House leader / chef parlementaire adjoint du Parti progressiste-conservateur
Carter, Jenny	Peterborough	ND	parliamentary assistant to Minister of Citizenship / adjointe parlementaire de la ministre des Affaires civiques
<b>Charlton, Hon/L'hon Brian</b>	Hamilton Mountain	ND	Chair of the Management Board of Cabinet, government House leader and minister responsible for the automobile insurance review / président du Conseil de gestion, leader parlementaire du gouvernement et délégué à l'Assurance-automobile
Chiarelli, Robert	Ottawa West/-Ouest	L	
<b>Christopherson, Hon/L'hon David</b>	Hamilton Centre/-Centre	ND	Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
<b>Churley, Hon/L'hon Marilyn</b>	Riverdale	ND	Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce
Cleary, John C.	Cornwall	L	
Conway, Sean G.	Renfrew North/-Nord	L	Deputy Leader of the Opposition / chef adjoint de l'opposition
<b>Cooke, Hon/L'hon David</b>	Windsor-Riverside	ND	Minister of Education and Training, minister responsible for the Ontario Training and Adjustment Board / ministre de l'Éducation et de la Formation, ministre responsable du Conseil ontarien de formation et d'adaptation de la main-d'œuvre
Cooper, Mike	Kitchener-Wilmot	ND	parliamentary assistant to Minister of Labour; assistant government whip; Vice-Chair, standing committee on resources development / adjoint parlementaire du ministre du Travail, whip suppléant du gouvernement, Vice-Président du Comité permanent du développement des ressources
<b>Coppens, Hon/L'hon Shirley</b>	Niagara South/-Sud	ND	Minister without Portfolio, Ministry of Culture, Tourism and Recreation / ministre sans portefeuille, ministère de la Culture, du Tourisme et des Loisirs
Cordiano, Joseph	Lawrence	L	Chair, standing committee on public accounts / Président du Comité permanent des comptes publics
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne	London North/-Nord	PC	

<b>Member/Député(e)</b>	<b>Constituency/Circonscription</b>	<b>Party/Parti</b>	<b>Other responsibilities/Autres responsabilités</b>
Curling, Alvin Dadamo, George	Scarborough North/-Nord Windsor-Sandwich	L ND	opposition deputy whip / whip adjoint de l'opposition parliamentary assistant to Minister of Transportation / adjoint parlementaire du ministre des Transports
Daigeler, Hans	Nepean	L	Vice-Chair, standing committee on general government / Vice-Président du Comité permanent des affaires gouvernementales
Duignan, Noel	Halton North/-Nord	ND	parliamentary assistant to Minister of Consumer and Commercial Relations / adjoint parlementaire de la ministre de la Consommation et du Commerce
Eddy, Ron	Brant-Haldimand	L	Vice-Chair, standing committee on social development / Vice-Président du Comité permanent des affaires sociales
Elston, Murray J. Eves, Ernie	Bruce Parry Sound	L PC	opposition House leader / chef parlementaire de l'opposition Progressive Conservative House leader / chef parlementaire du Parti progressiste-conservateur
<b>Farnan, Hon/L'hon Mike</b>	<b>Cambridge</b>	<b>ND</b>	Minister without Portfolio, Ministry of Education and Training; Vice-Chair, standing committee on the Legislative Assembly / ministre sans portefeuille, ministère de l'Éducation et de la Formation. Vice-Président du Comité permanent de l'Assemblée législative
Fawcett, Joan M. Ferguson, Will Fletcher, Derek	Northumberland Kitchener Guelph	L Ind ND	parliamentary assistant to Minister of Citizenship / adjoint parlementaire de la ministre des Affaires civiques
Frankford, Robert <b>Gigantes, Hon/L'hon Evelyn</b> Grandmaître, Bernard C. <b>Grier, Hon/L'hon Ruth A.</b> Haeck, Christel	Scarborough East/-Est Ottawa Centre/-Centre Ottawa East/-Est Etobicoke-Lakeshore St Catharines-Brock	ND ND L ND ND	Minister of Housing / ministre du Logement Minister of Health / ministre de la Santé government whip; Chair, standing committee on regulations and private bills / whip du gouvernement. Présidente du Comité permanent des règlements et des projets de loi privés Minister of Natural Resources / ministre des Richesses naturelles Chair, standing committee on the Legislative Assembly / Président du Comité permanent de l'Assemblée législative
<b>Hampton, Hon/L'hon Howard</b>	Rainy River	ND	
Hansen, Ron	Lincoln	ND	
Harnick, Charles Harrington, Margaret H.	Willowdale Niagara Falls	PC ND	parliamentary assistant to Minister of Housing; Vice-Chair, standing committee on administration of justice / adjointe parlementaire de la ministre du Logement. Vice-Présidente du Comité permanent de l'administration de la justice
Harris, Michael	Nipissing	PC	leader of the Progressive Conservative Party / chef du Parti progressiste-conservateur
Haslam, Karen Hayes, Pat	Perth Essex-Kent	ND ND	parliamentary assistant to Minister of Municipal Affairs / adjoint parlementaire du ministre des Affaires municipales
Henderson, D. James Hope, Randy R.	Etobicoke-Humber Chatham-Kent	L ND	parliamentary assistant to Minister of Community and Social Services / adjoint parlementaire du ministre des Services sociaux et communautaires
Huguet, Bob	Sarnia	ND	parliamentary assistant to Minister of Environment and Energy; Chair, standing committee on resources development / adjoint parlementaire du ministre de l'Environnement et de l'Energie. Président du Comité permanent du développement des ressources
Jackson, Cameron	Burlington South/-Sud	PC	Chair, standing committee on estimates / Président du Comité permanent des budgets des dépenses
Jamison, Norm	Norfolk	ND	parliamentary assistant to Minister of Economic Development and Trade / adjoint parlementaire de la ministre du Développement économique et du Commerce
Johnson, David Johnson, Paul R.	Don Mills Prince Edward-Lennox-South Hastings / Prince Edward-Lennox-Hastings-Sud	PC ND	parliamentary assistant to Minister of Economic Development and Trade; Chair, standing committee on finance and economic affairs / adjoint parlementaire de la ministre du Développement économique et du Commerce. Président du Comité permanent des finances et des affaires économiques
Jordan, W. Leo Klopp, Paul	Lanark-Renfrew Huron	PC ND	parliamentary assistant to Minister of Agriculture and Food / adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation

Member/Député(e)	Constituency/Circonscription	Party/Parti	Other responsibilities/Autres responsabilités
Kormos, Peter	Welland-Thorold	ND	
Kwinter, Monte	Wilson Heights	L	
<b>Lankin, Hon/L'hon Frances</b>	Beaches-Woodbine	ND	Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
<b>Laughren, Hon/L'hon Floyd</b>	Nickel Belt	ND	Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Lessard, Wayne	Windsor-Walkerville	ND	parliamentary assistant to Minister of Environment and Energy / adjoint parlementaire du ministre de l'Environnement et de l'Énergie
<b>Mackenzie, Hon/L'hon Bob</b>	Hamilton East/-Est	ND	Minister of Labour / ministre du Travail
MacKinnon, Ellen	Lambton	ND	Vice-Chair, standing committee on regulations and private bills / Vice-Présidente du Comité permanent des règlements et des projets de loi privés
Mahoney, Steven W.	Mississauga West/-Ouest	L	opposition chief whip / whip en chef de l'opposition
Malkowski, Gary	York East/-Est	ND	parliamentary assistant to Minister of Education and Training / adjoint parlementaire du ministre de l'Éducation et de la Formation
Mammoliti, George	Yorkview	ND	parliamentary assistant to Solicitor General and Minister of Correctional Services / adjoint parlementaire du solliciteur général et ministre des Services correctionnels
Marchese, Rosario	Fort York	ND	parliamentary assistant to the Premier, parliamentary assistant to Minister of Intergovernmental Affairs; Chair, standing committee on administration of justice / adjoint parlementaire du premier ministre, adjoint parlementaire du ministre des Affaires intergouvernementales, Président du Comité permanent de l'administration de la justice
Marland, Margaret	Mississauga South/-Sud	PC	Chair, standing committee on government agencies / Présidente du Comité permanent des organismes gouvernementaux
<b>Martel, Hon/L'hon Shelley</b>	Sudbury East/-Est	ND	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Martin, Tony	Sault Ste Marie / Sault-Sainte-Marie	ND	parliamentary assistant to Minister of Education and Training adjoint parlementaire du ministre de l'Éducation et de la Formation
Mathyssen, Irene	Middlesex	ND	parliamentary assistant to Minister of Environment and Energy / adjointe parlementaire du ministre de l'Environnement et de l'Énergie
McClelland, Carman	Brampton North/-Nord	L	
McGuinty, Dalton J.P.	Ottawa South/-Sud	L	
McLean, Allan K.	Simcoe East/-Est	PC	Vice-Chair, standing committee on government agencies / Vice-Président du Comité permanent des organismes gouvernementaux
McLeod, Lyn	Fort William	L	Leader of the Opposition / chef de l'opposition
Miclash, Frank	Kenora	L	opposition deputy whip / whip adjoint de l'opposition
Mills, Gord	Durham East/-Est	ND	parliamentary assistant to Solicitor General and Minister of Correctional Services / adjoint parlementaire du solliciteur général et ministre des Services correctionnels
Morin, Gilles E.	Carleton East/-Est	L	Deputy Speaker and Chair of the Committee of the Whole House / Vice-Président de la^S Chambre et Président du Comité plénier de l'Assemblée législative
Morrow, Mark	Wentworth East/-Est	ND	Chair, standing committee on the Ombudsman / Président du Comité permanent de l'ombudsman
Murdoch, Bill	Grey-Owen Sound	PC	
Murdock, Sharon	Sudbury	ND	parliamentary assistant to Minister of Labour / adjointe parlementaire du ministre du Travail
Murphy, Tim	St George-St David	L	
North, Peter	Elgin	Ind	parliamentary assistant to Minister of Agriculture and Food / adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation
O'Connor, Larry	Durham-York	ND	parliamentary assistant to Minister of Health / adjoint parlementaire de la ministre de la Santé
O'Neil, Hugh P.	Quinte	L	
O'Neill, Yvonne	Ottawa-Rideau	L	
Offer, Steven	Mississauga North/-Nord	L	
Owens, Stephen	Scarborough Centre/-Centre	ND	parliamentary assistant to Minister of Finance / adjoint parlementaire du ministre des Finances

Member/Député(e)	Constituency/Circonscription	Party/Parti	Other responsibilities/Autres responsabilités
Perruzza, Anthony	Downsview	ND	parliamentary assistant to Chair of the Management Board of Cabinet / adjoint parlementaire du président du Conseil de gestion
<b>Philip, Hon/L'hon Ed</b>	Etobicoke-Rexdale	ND	Minister of Municipal Affairs / ministre des Affaires municipales
Phillips, Gerry	Scarborough-Agincourt	L	
<b>Pilkey, Hon/L'hon Allan</b>	Oshawa	ND	Minister without Portfolio. Ministry of Municipal Affairs / ministre sans portefeuille. ministère des Affaires municipales
Poirier, Jean	Prescott and Russell / Prescott et Russell	L	
Pool, Dianne	Eglinton	L	Vice-Chair, standing committee on public accounts / Vice-Présidente du Comité permanent des comptes publics
<b>Pouliot, Hon/L'hon Gilles</b>	Lake Nipigon/Lac-Nipigon	ND	Minister of Transportation, minister responsible for francophone affairs / ministre des Transports, ministre délégué aux Affaires francophones
<b>Rae, Hon/L'hon Bob</b>	York South/-Sud	ND	Premier, President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre, président du Conseil exécutif, ministre des Affaires gouvernementales
Ramsay, David	Timiskaming	L	
Rizzo, Tony	Oakwood	ND	government whip; Vice-Chair, standing committee on the Ombudsman / whip du gouvernement, Vice-Président du Comité permanent de l'ombudsman
Runciman, Robert W.	Leeds-Grenville	PC	Progressive Conservative chief whip / whip en chef du Parti progressiste-conservateur
Ruprecht, Tony	Parkdale	L	
<b>Silipo, Hon/L'hon Tony</b>	Dovercourt	ND	Minister of Community and Social Services / ministre des Services sociaux et communautaires
Sola, John	Mississauga East/-Est	Ind	
Sorbara, Gregory S.	York Centre/-Centre	L	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West/-Ouest	PC	
Sullivan, Barbara	Halton Centre/-Centre	L	
Sutherland, Kimble	Oxford	ND	parliamentary assistant to Minister of Finance / adjoint parlementaire du ministre des Finances
<b>Swarbrick, Hon/L'hon Anne</b>	Scarborough West/-Ouest	ND	Minister of Culture, Tourism and Recreation / ministre de la Culture, du Tourisme et des Loisirs
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	Progressive Conservative deputy whip / whip adjoint du Parti progressiste-conservateur
Villeneuve, Noble	S-D-G & East Grenville / S-D-G & Grenville-Est	PC	Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative
Ward, Brad	Brantford	ND	Minister without Portfolio, Ministry of Finance / ministre sans portefeuille. ministère des Finances
<b>Wark-Martyn, Hon/L'hon Shelley</b>	Port Arthur	ND	Minister without Portfolio, Ministry of Health / ministre sans portefeuille. ministère de la Santé
<b>Warner, Hon/L'hon David</b>	Scarborough-Ellesmere	ND	Speaker / Président
Waters, Daniel	Muskoka-Georgian Bay	ND	parliamentary assistant to Minister of Culture, Tourism and Recreation / adjoint parlementaire de la ministre de la Culture, du Tourisme et des Loisirs
Wessenger, Paul	Simcoe Centre/-Centre	ND	parliamentary assistant to Minister of Health / adjoint parlementaire de la ministre de la Santé
White, Drummond	Durham Centre/-Centre	ND	parliamentary assistant to Minister of Municipal Affairs / adjoint parlementaire du ministre des Affaires municipales
<b>Wildman, Hon/L'hon Bud</b>	Algoma	ND	Minister of Environment and Energy, minister responsible for native affairs / ministre de l'Environnement et de l'Énergie, ministre délégué aux Affaires autochtones
<b>Wilson, Hon/L'hon Fred</b>	Frontenac-Addington	ND	Minister without Portfolio and chief government whip / ministre sans portefeuille et whip en chef du gouvernement
Wilson, Jim	Simcoe West/-Ouest	PC	
Wilson, Gary	Kingston and The Islands / Kingston et Les îles	ND	parliamentary assistant to Minister of Education and Training / adjoint parlementaire du ministre de l'Éducation et de la Formation
Winninger, David	London South/-Sud	ND	parliamentary assistant to the Attorney General, parliamentary assistant to minister responsible for native affairs / adjoint parlementaire de la procureure générale, adjoint parlementaire du ministre délégué aux Affaires autochtones

<b>Member/Député(e)</b>	<b>Constituency/Circonscription</b>	<b>Party/Parti</b>	<b>Other responsibilities/Autres responsabilités</b>
Wiseman, Jim	Durham West/-Ouest	ND	parliamentary assistant to Chair of the Management Board of Cabinet; Vice-Chair, standing committee on finance and economic affairs / adjoint parlementaire du président du Conseil de gestion, Vice-Président du Comité permanent des finances et des affaires économiques
Witmer, Elizabeth	Waterloo North/-Nord	PC	
Wood, Len	Cochrane North/-Nord	ND	parliamentary assistant to Minister of Natural Resources / adjoint parlementaire du ministre des Richesses naturelles
<b>Ziemba, Hon/L'hon Elaine</b>	High Park-Swansea	ND	Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations / ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
Vacant	Essex South/-Sud		
Vacant	Victoria-Haliburton		

## **STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY COMITÉS PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

### **Administration of justice/Administration de la justice**

Chair/Président: Rosario Marchese  
Vice-Chair/Vice-Présidente: Margaret H. Harrington  
Zanana L. Akande, Robert Chiarelli, Alvin Curling, Noel Duignan, Charles Harnick, Gary Malkowski, Gordon Mills, Tim Murphy, David Tilson, David Winninger  
Clerk/Greffière: Lisa Freedman

### **Estimates/Budgets des dépenses**

Chair/Président: Cameron Jackson  
Vice-Chair/Vice-Président: Ted Arnott  
Donald Abel, Gilles Bisson, Gary Carr, Murray J. Elston, Christel Haeck, Norm Jamison, Wayne Lessard, Steven W. Mahoney, David Ramsay, Jim Wiseman  
Clerk/Greffier: Todd Decker

### **Finance and economic affairs/**

#### **Finances et affaires économiques**

Chair/Président: Paul R. Johnson  
Vice-Chair/Vice-Présidente: Jim Wiseman  
Elinor Caplan, Gary Carr, W. Donald Cousens, Norm Jamison, Wayne Lessard, Monte Kwinter, Irene Mathyssen, Peter North, Gerry Phillips, Kimble Sutherland  
Clerk/Greffière: Tonia Grannum

### **General government/Affaires gouvernementales**

Chair/Président: Michael A. Brown  
Vice-Chair/Vice-Président: Hans Daigeler  
Ted Arnott, George Dadamo, Derek Fletcher, Bernard C. Grandmaître, David Johnson, George Mammoliti, Mark Morrow, Gregory S. Sorbara, Paul Wessenger, Drummond White  
Clerk/Greffier: Franco Carrozza

### **Government agencies/Organismes gouvernementaux**

Chair/Présidente: Margaret Marland  
Vice-Chair/Vice-Président: Allan K. McLean  
James J. Bradley, Jenny Carter, John C. Cleary, Alvin Curling, Robert Frankford, Margaret H. Harrington, George Mammoliti, Rosario Marchese, Daniel Waters, Elizabeth Witmer  
Clerk/Greffière: Lynn Mellor

### **Legislative Assembly/Assemblée législative**

Chair/Président: Ron Hansen  
Vice-Chair/Vice-Président: Mike Farnan  
Paul R. Johnson, Ellen MacKinnon, Irene Mathyssen, Carman McClelland, Gilles E. Morin, Stephen Owens, Norman W. Sterling, Barbara Sullivan, Noble Villeneuve, Paul Wessenger  
Clerk/Greffière: Lynn Mellor

### **Ombudsman**

Chair/Président: Mark Morrow  
Vice-Chair/Vice-Président: Tony Rizzo  
Donald Abel, Zanana L. Akande, Dennis Drainville, D. James Henderson, Tony Martin, Frank Miclash, Bill Murdoch, David Ramsay, Chris Stockwell, Gary Wilson, Clerk/Greffier: Franco Carrozza

### **Public accounts/Comptes publics**

Chair/Président: Joseph Cordiano  
Vice-Chair/Vice-Présidente: Dianne Poole  
Robert V. Callahan, Noel Duignan, Mike Farnan, Robert Frankford, Pat Hayes, Margaret Marland, Tim Murphy, Larry O'Connor, Anthony Perruzza, David Tilson  
Clerk/Greffier: Todd Decker

### **Regulations and private bills/**

#### **Règlements et projets de loi privés**

Chair/Présidente: Christel Haeck  
Vice-Chair/Vice-Présidente: Ellen MacKinnon  
Ron Eddy, Derek Fletcher, Ron Hansen, Pat Hayes, David Johnson, Leo Jordan, Gordon Mills, Hugh P. O'Neil, Anthony Perruzza, Tony Ruprecht  
Clerk/Greffier: Donna Bryce

### **Resources development/Développement des ressources**

Chair/Président: Bob Huget  
Vice-Chair/Vice-Président: Mike Cooper  
Sean G. Conway, Joan M. Fawcett, Leo Jordan, Paul Klopp, Sharon Murdock, Steven Offer, David Turnbull, Daniel Waters, Gary Wilson, Len Wood  
Clerk/Greffière: Tannis Manikel

### **Social development/Affaires sociales**

Chair/Président: Charles Beer  
Vice-Chair/Vice-Président: Ron Eddy  
Jenny Carter, Dianne Cunningham, Randy R. Hope, Tony Martin, Dalton McGuinty, Larry O'Connor, Yvonne O'Neill, Stephen Owens, Tony Rizzo, Jim Wilson  
Clerk/Greffier: Douglas Arnott



## CONTENTS

Monday 27 September 1993

MEMBERS' STATEMENTS	
<b>Tommy Jones</b>	
Mr McIlash	3025
<b>Municipal finances</b>	
Mr Turnbull	3025
<b>Terry Fox Run</b>	
Mr Hayes	3025
<b>Child safety</b>	
Mrs O'Neill	3026
<b>Violence against women</b>	
Mrs Witmer	3026
<b>Glenora-Adolphustown ferry service</b>	
Mr Paul R. Johnson	3026
<b>Unemployment in St Catharines</b>	
Mr Bradley	3026
<b>Moose tag lottery</b>	
Mr Jordan	3027
<b>Pickering airport land</b>	
Mr Wiseman	3027
 STATEMENTS BY THE MINISTRY AND RESPONSES	
<b>Interprovincial trade</b>	
Ms Lankin	3028
Mrs McLeod	3029
Mr Grandmaître	3030
Mr Harris	3030
Mr Sterling	3031
Mr Villeneuve	3031
 ORAL QUESTIONS	
<b>Ontario economy</b>	
Mrs McLeod	3031
Mr Laughren	3031, 3035
Mr Harris	3035

<b>Tobacco smuggling</b>	
Mr Cleary .....	3032
Mr Christopherson .....	3033, 3034
Mr Conway .....	3033
Mrs McLeod .....	3033
Mr Harris .....	3034
<b>Social contract</b>	
Mrs McLeod .....	3037
Mr Laughren .....	3037
<b>Police staffing</b>	
Mr Harris .....	3037
Mr Christopherson .....	3037
<b>Vehicle licensing</b>	
Mr Hansen .....	3038
Mr Pouliot .....	3038
<b>Hazardous waste</b>	
Mr Offer .....	3038
Mr Wildman .....	3039
<b>Farm income</b>	
Mr Villeneuve .....	3039
Mr Mackenzie .....	3039
<b>Landfill</b>	
Mr O'Connor .....	3040
Mr Wildman .....	3040
<b>MOTIONS</b>	
<b>Private members' public business</b>	
Mr Charlton .....	3040
Mr Elston .....	3041
<b>PETITIONS</b>	
<b>Long-term care</b>	
Mr Miclash .....	3041
<b>Glenora-Adolphustown ferry service</b>	
Mr Paul R. Johnson .....	3041
<b>Home care</b>	
Mr Hope .....	3041

REPORTS BY COMMITTEES	
<b>Standing committee on government agencies</b>	
Mrs Marland .....	3041
<b>Standing committee on resources development</b>	
Mr Huget .....	3041
<b>Standing committee on social development</b>	
Mr Beer .....	3042
<b>Standing committee on general government</b>	
Mr Dadamo .....	3042
SECOND READINGS	
<b>Environmental Bill of Rights, 1993,</b>	
Bill 26, <i>Mr Wildman</i>	
Mr Wildman .....	3042, 3045
Mr Offer .....	3044, 3045, 3057
Mrs Marland .....	3044, 3057
Mr Tilson .....	3056, 3057
Mr Beer .....	3056

	<b>OTHER BUSINESS</b>
<b>Visitors</b>	
The Speaker .....	3027
<b>Legislative interns</b>	
The Speaker .....	3027
<b>Legislative pages</b>	
The Speaker .....	3027
<b>Resignation of member</b>	
for Victoria-Haliburton	
The Speaker .....	3028
<b>Political party identification</b>	
Mr Callahan .....	3040
The Speaker .....	3040

## TABLE DES MATIÈRES

Lundi 27 septembre 1993

## DÉCLARATIONS MINISTÉRIELLES ET RÉPONSES

<b>Commerce interprovincial</b>	
M <sup>me</sup> McLeod . . . . .	3029
M. Grandmaître . . . . .	3030

## DEUXIÈME LECTURE

**DEUXIÈME LECTURE**  
**Charte des droits environnementaux**  
**de 1993, projet de loi 26,**  
*M. Wildman* 3042

No. 60



N° 60

ISSN 1180-2987

## Legislative Assembly of Ontario

Third Session, 35th Parliament

## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Tuesday 28 September 1993

# Journal des débats (Hansard)

Mardi 28 septembre 1993

Speaker  
Honourable David Warner

Président  
L'honorable David Warner

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



### **Hansard on your computer**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. Sent as part of the television signal on the Ontario parliamentary channel, they are received by a special decoder and converted into data that your PC can store. Using any DOS-based word processing program, you can retrieve the documents and search, print or save them. By using specific fonts and point sizes, you can replicate the formally printed version. For a brochure describing the service, call 416-325-3942.

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

### **Subscriptions**

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Lists of members**

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month. A list arranged by riding and including ministerial responsibilities appears on subsequent Mondays.

### **Le Journal des débats sur votre ordinateur**

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Ces documents, télédiffusés par la Chaîne parlementaire de l'Ontario, sont captés par un décodeur particulier et convertis en données que votre ordinateur pourra stocker. En vous servant de n'importe quel logiciel de traitement de texte basé sur le système d'exploitation à disque (DOS), vous pourrez récupérer les documents et y faire une recherche de mots, les imprimer ou les sauvegarder. L'utilisation de fontes et points de caractères convenables vous permettra reproduire la version imprimée officielle. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

### **Renseignements sur l'Index**

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

### **Abonnements**

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.

### **Listes des député(e)s**

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et dans le numéro du premier lundi de chaque mois. Par contre, une liste des circonscriptions inscrites dans un ordre alphabétique et comprenant les responsabilités ministérielles paraît tous les lundis suivants.

Tuesday 28 September 1993

The House met at 1334.

Prayers.

#### MEMBERS' STATEMENTS YORK COUNTY HOSPITAL

**Mr Charles Beer (York North):** York County Hospital in Newmarket is facing an extremely difficult funding problem. The 413-bed acute care community hospital provides a full range of medical, surgical, palliative, mental health and long-term care services to a population of approximately 145,000.

The hospital has one of the lowest bed utilization rates in the province. In order to balance its 1992-93 operation budget, the hospital reduced its staffing levels by approximately 80 and over two years closed 80 acute care beds.

The potential crisis the hospital now faces is that with the rapidly increasing population in its service area, further cuts will directly affect the quality of care the hospital can provide.

In July, a special report commissioned by the hospital and the Ministry of Health concluded that the hospital was in fact well managed and "faced a significant fiscal challenge as a result of the rapidly increasing regional population."

It is clear that the government must work closely with the hospital to recognize these extreme growth pressures. On a per capita basis, York region's share of hospital funding is well below the provincial average. The province has to ensure that a new funding formula is developed to take into account the needs of fast-growth areas.

I call upon the Minister of Health to respond directly and quickly to the special report and to make sure York County Hospital is appropriately funded. To do any less will be to seriously compromise the health care of residents in both the northern part of York region and the southern part of Simcoe county.

#### MINING INDUSTRY

**Mr Leo Jordan (Lanark-Renfrew):** On September 23, following the conclusion of several meetings with federal and provincial governments, the Ontario Mining Association joined with its federal partners for a press conference at the University of Toronto. This conference, entitled "Keeping Mining in Canada," proposed policies designed to secure the future of the mining industry in Ontario by changing the harsh regulatory environment created by this government.

The industry has called for the government to establish a better process for land use planning. The current system designates lands for single purposes without consideration for potential mineral exploration and development. There must be an integrated plan that

serves to protect Ontario's natural heritage while encouraging access to mineral resources.

The mining association also recommended that provincial and federal governments streamline environmental regulations to avoid costly duplications and waste. As it stands now, the system is so muddled it can take up to 10 years to open a mine.

The industry also called upon governments to respect mineral property rights. I would encourage the minister to take special notice of this point, as we need to reduce uncertainty and restore investor confidence by creating the economic and regulatory climate that will secure the future of Ontario's mining industry.

#### JOBS ONTARIO

**Mr Kimble Sutherland (Oxford):** The number one issue on the minds of my constituents is jobs. I am pleased to say that the government has demonstrated leadership on this issue in my riding through the Jobs Ontario initiatives.

There have been a number of Jobs Ontario Capital projects. The village of Drumbo received \$1.7 million for a new water system. Another \$2.3 million went to the Oxford County Board of Education, most of which was used to build a long-sought-after addition to the Tavistock public school. In Woodstock, the Oxford Children's Aid Society got \$708,000 in Jobs Ontario funds for an addition, while the Woodstock Museum received \$488,000 for its renovation and restoration.

Another Jobs Ontario program, Community Action, has also had a positive impact on my riding. Recently, the town of Ingersoll received \$960,000 to help revitalize its downtown.

These endeavours share one common denominator: jobs. Each of those Jobs Ontario Capital and Community Action projects means jobs, jobs that may not have been created or preserved if not for Jobs Ontario. That gives people the confidence to spend money on consumer goods and stores in Woodstock and Ingersoll. It means they will build new homes in Tavistock or buy resale homes in Tillsonburg.

While the government cannot solve all of Oxford's unemployment problems, these investments in public facilities and support of private investment, along with the capital corporations act and economic development act, clearly demonstrate the government's commitment to put people back to work in Oxford and Ontario. I wanted to share these success stories to demonstrate that Jobs Ontario is working in Oxford and Ontario.

1340

#### BRIDGE RESTRICTION

**Mr Michael A. Brown (Algoma-Manitoulin):** I have some good news and I have some bad news. First,

the good news: I am pleased today to announce on behalf of the Minister of Transportation and the member for Nickel Belt that both lanes are now open on Highway 17 on the bridge over the Spanish River on the Trans-Canada Highway. The bridge, as anyone travelling in the area knows, had been operating with only one lane for many months.

This had caused significant travel delays in both directions, but more importantly had caused difficulties for the movement of oversized loads to construction projects in my constituency and others. As we all know, maintenance work on Ontario's roads and bridges necessitates inconvenience to commuters, shippers and receivers, trucking companies and the general public, but it must be done. Or does it? In this case, it has not been done. There has been no work done on the upper structure of this bridge for many months. There has therefore been a restriction of traffic on the Trans-Canada Highway while no work at all has been done.

Now for the bad news: The bridge work will probably be retendered, we are told, for the next fiscal year. The bridge will be again restricted. I would call on the Minister of Transportation and the member for Nickel Belt to make sure that this time when they close the bridge, they do the work.

#### MEALS ON WHEELS

**Mr David Johnson (Don Mills):** The goods news is that I would like to invite all members to participate in Meals on Wheels Week, which extends from October 3 through October 8.

Meals on Wheels is a province-wide, non-profit organization which provides in-home meals to individuals over the age of 60 years, as well as adults with disabilities. Hot prepared meals are delivered directly to an individual's home over lunch-hour through the help of hundreds of volunteers.

In my riding of Don Mills, the True Davidson Meals on Wheels in East York has been serving its community since 1973. In an average month, this program caters to 150 to 160 individuals with the support of over 100 dedicated volunteers. Just last year alone, over 28,000 meals were served by this one organization, and I would like to congratulate them on their tremendous effort.

Through my association with both True Davidson Meals on Wheels and East York Meals on Wheels, I have come to realize that this program means much more to the recipients than just a hot meal. It's a friendly face, a chat about last night's ball game or about what's happening in their community. It's an opportunity to have contact with caring people, as this is sometimes difficult for the frail or elderly who are unable to leave their homes. Quite simply, the Meals on Wheels clients look forward to the volunteers' visits.

On behalf of this Legislature, I would like to offer congratulations and continued encouragement to all

Meals on Wheels organizations in this very special week.

#### KIDS CAN PLAY

**Mr Derek Fletcher (Guelph):** No child should be denied the right to participate in any activity that children usually participate in, and that's why Kids Can Play, a grass-roots organization, was formed in Guelph and has been helping hundreds of children to participate.

Kids Can Play was started about eight years ago by five single mothers and about a dozen community members who saw that many children were not able to take part in sports and cultural activities because their families could not afford it.

In their first year, they had a budget of \$2,000 and they helped approximately 12 children by paying fees or buying equipment for activities such as hockey, summer camp, karate, swimming, music, dance and school trips. Last year their budget was \$30,000 and they have helped 255 children.

Kids Can Play has grown to become a presence in the community that is making a difference in the lives of many families. This success is due to the work of dedicated board members, a network of volunteers and a generous pool of donors, including the United Way, the Royal City Kiwanis and other service clubs and individuals.

Kids Can Play is supported by the community and it supports the community. It really makes a difference for kids by providing them with activities that are an important part of their growing, because it helps build self-esteem, confidence and friendship.

I wish to commend the board members and supporters of Kids Can Play for caring enough about our children to build this vital community organization.

#### PARAMEDIC SERVICES

**Mr Dalton McGuinty (Ottawa South):** I want to take this opportunity to remind the Minister of Health that the people of Ottawa-Carleton continue to demand paramedic services equivalent to those now operating in Hamilton, Toronto and Oshawa.

The minister will know that Ottawa-Carleton has one of the lowest survival rates for heart attack victims in a large metropolitan area in North America: 2.4%. In the more than 50 Canadian cities benefiting from full paramedic service, this rate approaches 20% and even 25%.

The principle behind paramedics is very simple: When someone stops breathing or when someone's heart stops beating, time becomes a critical factor if that life is to be saved. There are two ways to deal with these kinds of patients: Put them in an ambulance and take them to the emergency ward or treat them right there on the spot. In other words, the options are to take the patient to the treatment or to bring the treatment to the patient.

Obviously, when timing is critical, it makes more sense for ambulance officers acting as fully trained paramedics to treat the patient on the spot. Studies have consistently shown that a 911 telephone system, in combination with early access to cardiopulmonary resuscitation, defibrillation and paramedic services, constitutes a strong chain of survival. The people of Ottawa-Carleton are asking that the Ministry of Health supply the final link: paramedics.

To date, the Ottawa-Carleton Action Paramedic Committee and I have collected over 14,000 individual petition cards, and we have only just begun. We are not asking for more ambulances or even more ambulance officers. We are simply asking for training to upgrade the skills of our ambulance officers so they can provide the quality of care the people of Hamilton, Toronto and Oshawa have come to enjoy.

#### HAZARDOUS WASTE

**Mrs Margaret Marland (Mississauga South):** This week we are debating the Environmental Bill of Rights, which will establish an Environmental Commissioner to ensure that the government complies with the bill. It will also set standards for public participation and let residents take legal action to protect public resources.

In Mississauga South, we have an excellent example of why Ontario needs an Environmental Bill of Rights. St Lawrence Cement, SLC, burns chlorinated waste solvents which are hazardous wastes, yet SLC has done no testing for hazardous byproducts and no monitoring of its stacks.

In 1991 the Environment ministry ordered SLC to reduce its particulate emissions. The company appealed the order, then failed to do most of the testing required by the Environmental Appeal Board. Now SLC wants to exclude the public from the hearings.

SLC also operates an unauthorized landfill site, which raises concerns about groundwater contamination. Nine years ago the Environment ministry identified local groundwater contamination below the SLC lands. A ministry official recommended ongoing monitoring, which was never done. The ministry has now drafted a director's order regarding the landfill, yet it plans to sit on that order until next spring.

There is something very wrong when individuals like the Residents Against Cement Company Pollution need an Environmental Bill of Rights to take action which should be the responsibility of conscientious companies and a vigilant Environment ministry.

#### ENCYCLOPEDIA OF UKRAINE

**Mr Gary Malkowski (York East):** On Saturday, September 25, I had the privilege of attending a publication launch for the Encyclopedia of Ukraine. This is an exciting achievement of academic and cultural importance for Ukrainian people and I was honoured to share in the celebration.

An incredible amount of effort went into researching and publishing these works. The five-volume encyclopaedia tells us about the history of Ukraine, its people, geography, economy and culture. This information is now accessible to people throughout the world. It will no doubt be an invaluable reference tool for business, government, journalists and students.

Joining us today in the gallery is the editor-in-chief, Professor Danylo Husar Struk, and the president of the Ukrainian Foundation for Ukrainian Studies, Mr Morris Diakowksy. Gentlemen, I applaud your commitment to this extremely worthy venture.

1350

#### STATEMENTS BY THE MINISTRY AND RESPONSES INTERNATIONAL TRADE

**Hon Frances Lankin (Minister of Economic Development and Trade):** In the spring, I announced plans to reorganize the trade and investment activities of the Ontario government, which included the closure of our 17 foreign offices. I would like to report to the House that considerable progress has been made towards our goal of establishing a more effective and collaborative system of developing trade and stimulating investment in Ontario. This is an essential part of our effort to renew the economy and put Ontario back to work.

Earlier this month, I conducted a mission to Germany and can attest to the commitment of provincial and federal authorities and the private sector to a greater level of teamwork in pursuit of our common objectives. Our officials worked closely with their federal counterparts in the planning and execution of the mission, which featured the appearance of seven Ontario-based automotive companies at the international auto exposition in Frankfurt, the largest of its kind in the world.

Ontario was operating the exhibit space for the first time, and each of the firms reported excellent results. All said that they had identified a number of solid leads which are actively being pursued and everyone was optimistic that new business would result.

In the course of the mission, I was able to conduct a number of meetings with current and potential German investors who expressed a genuine interest in Ontario. I also met with companies to encourage them to increase their reliance on our Ontario suppliers.

While Germany is wrestling with major challenges posed by such things as unification and industrial restructuring, I am confident these contacts will lead to further investment in our province.

The expansion plans announced this week by Toyota demonstrate Ontario's growing appeal as a North American base of operations for foreign investors.

The mission to Germany also provided an opportunity to meet with officials at Baden-Württemberg. Our

alliance with the Four Motors, which also comprises Rhône-Alpes in France, Lombardy in Italy and Catalonia in Spain, is an important link in our international network. I told them that Ontario wants to increase its involvement, particularly in projects geared to transfer of technology and the formation of strategic alliances between Ontario and European companies.

In an address to the first conference of the Canadian-German Lawyers' Association, a group of influential advisers to investors and corporations in Germany, I outlined the advantages of doing business in Ontario and underlined our commitment to our commercial ties with that important region of Europe.

As I mentioned last spring, the new trade and investment strategy calls for greater cooperation and coordination of activities by the provincial and federal governments, local municipalities and organizations. The German mission was part of the strategy, for example, to use telecommunications and travel to maintain Ontario's position in key world markets.

Similar visits have been made in recent months to North Carolina, Texas and Louisiana by my colleague Richard Allen. He is currently in China for meetings with government representatives, business people and academics on a number of topics including TVOntario, science and technology, health, education, electrical power, environmental protection, communications, culture, agriculture and forestry. He is also holding discussions regarding future activities of the Jiangsu-Ontario Science and Technology Centre.

Considerable work has been done to implement our new trade and investment strategy. Discussions between my officials and their federal counterparts on ways of integrating programs and services, particularly on the trade side, are making good progress. Agreement has been reached to align information and databases to facilitate the exchange of information, and Ontario intends to make full use of federal posts abroad.

On the trip to Germany, for example, I had extensive meetings with Canadian embassy officials and the consul general in Munich. Both were extremely helpful in providing background information and assisting in the arrangement of meetings.

At the same time, the Ontario International Corp continues its excellent work to market Ontario services for major capital projects around the world.

Additionally, a team headed by IBM Canada is about to complete the design of a new Ontario Investment Service, which will be launched by April, promoting Ontario as a prime North American investment locale and providing potential and current investors with the comprehensive information and data on which to base decisions.

The Ontario Investment Service is a significant effort to improve the quality of service we offer to potential

investors and day-to-day clients. The ministry is also introducing a client account management system which will ensure prompt response to inquiries and concerns raised by companies. It will also provide a one-stop shopping system to help people through the sometimes confusing process and procedures of government.

Training programs have been launched to increase the skills and the effectiveness of our staff.

Len Crispino, formerly our senior agent in Italy, has been appointed assistant deputy minister for trade and investment marketing to refocus our international trade and investment activities. His mandate includes improving our networks and cooperation with the private sector.

For example, a partnership has just very recently been signed, by my ministry and the Canadian Exporters' Association, which will establish a Canadian Exporters' Association Ontario chapter office within the ministry offices at Queen's Park. We will be coordinating our efforts and sharing our resources to help Ontario companies compete more effectively in global markets.

This is a partnership which I think accurately reflects the new sense of teamwork we are seeking to achieve at home and abroad.

Much has been done, but much remains to be done. I will keep the members informed of our progress.

**Mr Monte Kwinter (Wilson Heights):** I am pleased to respond to the minister's statement. It's interesting, it's informative, but there really isn't anything new. It's really what every minister of trade has done in this government for the last 35 or 40 years. I would suggest to the minister that her time could have been better spent responding to some of the concerns that have been raised by what her statement talks about.

She talks about the closing of the 17 offices. She makes no mention of the fact that the Tokyo office had an overrun of \$1 million in its last year, administered by Robin Sears. She doesn't talk about what effect those closings have had and the concern that has been expressed by people in the export business about their lack of representation in these markets.

She talks about her visit to Germany. It's interesting to note that there are two issues that were not discussed. One, you talk about your conversations with people who might be interested in investing in Ontario, but make no mention of the fact that Magna, the largest auto parts company almost in the world, has announced that it is going to be investing in Germany, and no mention of the fact that for nearly a year now your government, under the Premier, Mr Rae, and his chief automobile adviser, has been working on trying to get Audi into Ontario with no result. There is no mention of what has happened there.

You talk about your successes and you use as an example Toyota. Toyota is going to create 50 jobs. It is

not an indication of the growing appeal of North America; it is an add-on to a major investment that is here. It was made for strategic purposes because of the high cost of the yen and the need for Toyota to have the high content required to qualify under the North American free trade agreement.

I should also talk to you about your mention of the Four Motors of Europe. All this has given you is bragging rights, the right to say, "We have this relationship with Rhône-Alpes and Lombardy and Catalonia," but you haven't given us any indication of, what does that mean? You've had three years. This was an initiative that was started by our government; we had missions that were here. No notice, no report; what has happened with that other than that you're talking to them? As I say, all it gives you is bragging rights and nothing more.

You have your colleague now in Jiangsu. What is happening with the Ontario-Jiangsu Science and Technology Centre? What are they doing? What has been happening for the last three years? We had a situation that there was a hiatus because of the diplomatic concerns with what was happening in China; no report of that.

All you have is a general overview of what has been happening in the ministry, not whether it is effective, but that you've been out talking to people and it's great and you're getting a chance to visit Germany and your colleague is going to China, which I have no problem with. I think that's fine; I think you should be out there seeing what's happening in the real world. But on the other hand, I think it's important to understand that when these things are being done, they're being done in isolation, in that these meetings are taking place, you're coming back and you give us a report that really doesn't have any substance. I would be a lot happier if I knew exactly the results of what these things were doing.

I am quite happy that you've entered into this relationship with the Canadian Exporters' Association. They are a first-class organization, and I think that will give you a benefit.

But I also feel that, given the importance of export to this country and to this province, your ministry has taken a direction that has downplayed its importance. You're trying to run the whole thing out of the offices here in Queen's Park, which would be comparable to every one of our members trying to run their constituencies out of their offices in Queen's Park without any constituency offices, and you know how effective that would be. You'd get to the people who were really so irate that they called you here, but on the ground, the grass-roots, in the trading areas where it is important for Ontario businessmen, you would really not have any good, solid sounding board.

I would just make a recommendation to the minister that if she would take a look at her statement, in her

next report to this Legislature she could give us something of substance as opposed to the sort of PR puff we got today, which just lets us know that you're busy doing something but no results as a result of it.

**1400**

**Mr Gary Carr (Oakville South):** I'm glad the minister is making good contacts, but I want to tell you that if she was a salesperson, she would be fired for coming back with results like this. There was no investment. On page 1, she talks about how earlier this month she went to Germany. How much investment has come back? How many jobs have been created? You close down the offices. You go all over the world. Your predecessor, the member for Etobicoke-Rexdale, was in Pakistan, Iran, and all we've done with these situations is we have great dinners, no investments, no new jobs. Quite frankly, you should spend more time here in Ontario worrying about the WCB, the unfunded liability, and Ontario Hydro, which has a debt which is going out at leaps and bounds.

The problem, very simply, in the province of Ontario is we're overtaxing, we're overgoverning, we're over-regulating, we're overlegislating, and the rest of the world is saying, "Thank you, but we're not going to come to the province of Ontario." Where's the new investment coming in this province, internationally right now?

I will give you some statistics. When you came to power, the unemployment rate was 6%; it's now going to about 11%. The four western provinces had a worse unemployment rate than we did; it's now a better unemployment rate. Of the jobs lost, 80% have been in the province of Ontario because of your policies.

We hear from the Premier that this session is going to be about jobs. The first piece of legislation coming through, employment equity, has more regulations which are going to tell businesses who they can hire. The second piece of legislation, the Environmental Bill of Rights, there are going to be no jobs created.

Quite frankly, as I look at this government and as we go out, the only thing these trips are doing for these ministers going around the world to all these exotic places is building up the aeropoints. There will be no satisfaction to the unemployed when you come back, no new jobs, no new investment coming to the province of Ontario. Quite frankly, this is a nothing statement. What you need to do is worry about getting the economy going. If we do that, and if we do the right things in the province of Ontario, people will be lined up to come no matter what happens.

The same thing with the Premier when he made his whirlwind trip to the Far East, no new investment came back to the province of Ontario. Quite frankly, I think these junkets are a waste of time and money. What we need to do is clean up our own act here. If we did that, we'd have people wanting to invest. I say to this

minister and to this Premier, the best thing we could do is change governments; that's when the investments will start in the province of Ontario.

**Mr Chris Stockwell (Etobicoke West):** Having seen this report on the public table, it's cold comfort for anyone in the province of Ontario who is looking for work. What the Minister of Economic Development and Trade did on her summer vacation: basically, that's what we have before us today. She had lunch around the world. In Germany, she went ahead and "to maintain Ontario's key position in world markets," she as a strategy used telecommunications and travel. Her colleague Richard Allen was in North Carolina, Texas, Louisiana; China he's going to for meetings.

We've had "new trade and investment strategy." We've got "officials and their federal counterparts on ways of integrating programs and services." To "align information and databases to facilitate the exchange of information," Ontario intends to make full use of the federal posts abroad. We have embassy officials, meetings with consul generals in Munich, background information, assisting in arrangement of meetings, Ontario International Corp to market Ontario services for major capital projects. We have no jobs; we've just got a bunch of meetings. We've got a bunch of committees struck.

It goes on. We will "provide potential and current investors with comprehensive information and data on which to base decisions." Ontario Investment Service to "improve the quality of service we offer to potential investors and day-to-day clients."

The bottom line is: We've got a book report on what the minister did this summer, and that is have lunch around the world and not sign a comprehensive, concrete deal that will produce one job. What we have is a book report that isn't producing anything other than, as my colleague said, building up air flight points for some of the cabinet ministers.

We had the old minister who spent time in India and Iran and came back empty-handed. This has to be the third or fourth trip that one of the ministers in this government took, came back empty-handed, produced a report for this House, for the people of the province of Ontario, for those who are unemployed, with absolutely no hope. If all we can expect is a few committees struck, a few lunches, a few negotiations, a few contacts, don't waste your time any more. The money would be better spent here reorganizing this mess that you spent three years creating.

#### ORAL QUESTIONS FERRY SERVICE FEES

**Mrs Lyn McLeod (Leader of the Opposition):** My question is for the Premier. The economy of this province continues to suffer. Your budget revenues have now slipped to the point where our province is on credit

watch, your only solution seems to be more new taxes and more new fees and neither you nor your Finance minister seem to understand that new taxes and new fees are costing jobs in this province.

Premier, I'm sure you're aware that last week, more than 400 people crowded into a community centre in Picton—400 people are a lot of concerned citizens in the Picton area—and they were concerned about the impact of one new fee on jobs in their area.

You will know that in eastern Ontario, residents of Wolfe Island and Prince Edward county have been told that they are going to have to pay new fees for local ferry service that the province has provided in the past. These ferries are heavily used by local residents, they're used by businesses and they're an important part of tourism. People are tremendously concerned about what this new fee is going to mean for their businesses, for tourism and for their jobs.

Premier, why is your government bringing in this new fee when you have absolutely no idea what the impact is going to be on business and on jobs in those areas?

**Hon Bob Rae (Premier):** In the ordinary course of events, I would refer this to the Minister of Transportation, but since he had the wisdom not to be here today, I will endeavour to answer this question.

I can assure the honourable member that, first of all, I'm very aware of the meeting that was held. My colleague from Prince Edward county brought this very directly to my attention last week as soon as the meeting was held. He has also raised concerns with us with respect to the studies with respect to any impact.

I would only say to the honourable member that any fees that would be charged would pay, if my memory is correct with respect to the numbers, between 20% and 30% of the total cost of the government of the service that's being provided. So we're not looking at anything that would even come close to paying for the cost of the service.

I would say to the honourable member that obviously the Ministry of Transportation is having to look at some issues with respect to services which have, up until now, been totally subsidized by the taxpayer, and the question really is, can we provide some relief to all the taxpayers of Ontario by asking those who use the service to pay a small share of the cost?

She herself is saying she's opposed to tax increases. I would like to ask, do you not think it's reasonable, in these circumstances, for some people to pay something of the share of the cost of a service—not all of it, by any means. People who use public transportation pay a share of the cost—

**The Speaker (Hon David Warner):** Would the Premier conclude his response, please.

**Hon Mr Rae:** —people who use various kinds of

transportation pay the cost. I would have thought that's something one might want to reflect on when we look at the overall impact of tax subsidies on the business affairs of the whole province.

**Mrs McLeod:** The fact is that this is exactly what happens when you are so desperate for revenue that you say to the people in your ministries, "Find new ways to raise money, and we don't care what it costs." I say to you again that I don't believe your government has even looked at the impact that this fee is going to have on businesses and on jobs in that area. I can tell you that the people in Prince Edward county and the people on Wolfe Island simply don't understand how you can justify these fees.

If you look at a resident or a business person living now on Wolfe Island or doing business or farming on Wolfe Island, these new fees could cost each of those residents over \$2,000 per year. That is a huge revenue grab from these local residents. I find myself thinking back to when your government found that it was quite acceptable to actually forgo millions of dollars in revenue by allowing Toronto Island residents to pay only \$30 per month in rent for their properties.

So, Premier, I point out to you that Wolfe Island residents are now going to be paying more per month in new ferry fees than Toronto Islands residents will have to pay per month to rent their property, and I ask, how do you justify this very different tale of two islands? Where is the fairness, and why is your government so willing to make living on the Toronto Islands cheaper while you jeopardize the homes and the farms and the businesses on Wolfe Island?

1410

**Hon Mr Rae:** In fact, you've misstated the comparison, because if you want to compare ferries, which is what we should be comparing, then compare the fact that under the Liberals if you lived on Simcoe you paid a fee, on Howe Island you paid a fee, on Howe Island township you paid a fee, Toronto Islands you paid a fee, Pelee Island you paid a fee, Manitoulin Island you paid a fee, and there are a couple of situations where for historical reasons—one would imagine, probably, perhaps politics, partisan or otherwise, played a role—there were some who were exempted from paying anything at all towards the upkeep of a service which is provided to them and not to others.

I would ask the member to be logical. Is she suggesting that we should cancel the fees on all these other ferries? Is that what she's suggesting? If she's not suggesting that, how can she justify some people who are going to Pelee Island paying a ferry or some people going to Howe Island paying a ferry, but if you're going to Wolfe Island you shouldn't pay a ferry? Make up your mind. At least we're consistent. It's the Leader of the Opposition who doesn't have a bone of consistency in the question she's put to us.

**The Speaker:** Final supplementary. The member for Quinte.

*Interjections.*

**The Speaker:** Order. The member for Quinte has the floor.

**Mr Hugh O'Neil (Quinte):** Premier, all the people in Prince Edward county and Wolfe Island want is some common sense. Your government announced it was going to charge—and if you want the numbers—over \$800,000 in new fees on the Wolfe Island ferry and over \$500,000 new fees on the Glenora ferry without any consultation with local residents and without any study of the impact on local businesses and jobs.

Thousands of tourists travel, as you know, through this area of the province every year, and local residents are afraid that fewer of them will show up with the new ferry fees, forcing local businesses to close and jobs to be lost.

Premier, on your direction, will the government make a commitment today to implement a study of the impact of the new ferry fees before it proceeds with a shortsighted policy which may just cost more jobs?

**Hon Mr Rae:** I can assure you that your colleague from Prince Edward county was ahead of you in the sense that he made it clear to me last week that he thought that it would be a good idea, and I agreed with him. I think there should be a study of the impact, but in doing that I think the question that has to be put to you and has to be put to your party is, show me the fairness in charging a fee for a ferry in Pelee Island or Manitoulin Island or even nearby in Howe Island and having nothing for Wolfe Island or for Glenora. Show me the fairness in that and show me the logic in that. We have to do something to establish a degree of fairness in these things which have taken place over many years, and that's exactly what we're trying to do.

**The Speaker:** New question.

**Mrs McLeod:** Premier, show me the fairness in talking about a five-minute trip to Wolfe Island in the same breath as you talk about an hour-and-three-quarters ferry trip to Manitoulin Island. Where's the fairness in that?

#### AMBULANCE SERVICES

**Mrs Lyn McLeod (Leader of the Opposition):** My second question is to the Premier.

Premier, on quite another issue, we face a pending crisis in the delivery of ambulance services in this province and it is a very direct result of your government's mismanagement and the kind of chaos that is being created.

In July, ambulance operators received notices telling them that their grants were going to be reduced as a result of the application of the social contract, and in August the cuts indeed began.

Right now, the only way that ambulance operators are allowed to cut costs under your social contract is to have their employees take unpaid leave days. That clearly would mean fewer ambulances on the road. The government has told the operators that it will not approve any service reductions. We have a lose-lose situation. This has led, in the last days, to confusion, to warnings of illegal strikes, to layoff notices being given and to a real threat of reduced services.

Your government promised, Premier, that the quality of health care would not suffer as a result of the social contract. I ask you, what now is going on and what is your government going to do to ensure that necessary ambulance services are available, and available in a timely way?

**Hon Bob Rae (Premier):** I refer this to the Minister of Health.

**Hon Ruth Grier (Minister of Health):** I'm glad to have an opportunity to speak to this question, because I, like the Leader of the Opposition, am very concerned that there are people in this province who are frightened that there may not be emergency service available to them when they need it. We have a very excellent emergency service in this province, one of the best in the world, and it is certainly our intention to maintain it.

The social contract is about preserving jobs and about preserving services, and our ministry, in discussion with emergency services as to how the social contract could be implemented, had indicated to them that under the regulations, as part of the social contract, we intended to consider designating ambulance services as a critical function, which would allow the owners to implement the social contract in a different way and in a way that would not have an impact on jobs and on the service itself.

That is going to happen very shortly, and I greatly regret that some of the ambulance owners have not waited until we could conclude our discussions with them but have begun to issue layoff notices. I hope those layoff notices will not in fact have to be implemented.

**Mrs McLeod:** Minister, ambulance operators warned that there would be a reduction in services after September 30 unless the government took action. It was a month ago that they gave you that warning, and September 30 is two days away. Intentions and decisions to be made shortly are hardly going to serve as a response if we have an accident victim who is waiting for an ambulance to arrive. There is a sense of urgency.

We raised this issue a month ago, and at the time that we raised it you said: "Don't worry. We're going to look into it. We'll look after it." We are still waiting, a month later, for some clear direction on how the ambulance operators are going to be able to cut their

costs without reducing service.

You are surely well aware that in the meantime ambulance operators have been literally going to the bank and taking out personal loans in order to maintain the level of service until you can come up with some decision. I ask you, why have you allowed this situation to develop into a crisis? Why does it take literally two months of confusion and controversy just to figure out how your social contract is working? Is it really that difficult to decide whether ambulance services are critical?

**Hon Mrs Grier:** No, of course it isn't, which is why we indicated to the industry that it was our intention to designate it as a critical function. We asked them not to take action in advance of having submitted, to the ministry, their operating plans, having had those reviews and having had an opportunity to discuss the question of how, as critical functions, they could in fact implement the social contract.

I think it was my colleague the Treasurer or somebody in this House yesterday who said that the social contract was being blamed for every ill including the temperature and the weather. I regret that in some cases there have been owners of ambulance operations who I think have used the opportunity to make some moves that they have hitherto been delayed from doing.

**Mrs McLeod:** I say, again, intention is not a sufficient response. You need to tell them what they can do. I tell you that this is just typical of the kind of mass confusion this government is creating. I don't believe you had any idea when you brought in this sweeping legislation how it was going to work, and you have no idea of how you are going to be able to cut costs while you still maintain services. You are dealing with it on an ad hoc crisis basis, day by day, and that is not tolerable.

Minister, you're saying now that you will designate ambulance services as critical. That's what I hear you saying today. I would suggest to you that if you solve this immediate crisis by declaring services to be critical, which I'm sure you must, you then have to answer to the long-term financial problem, because as you know somebody is going to owe those unpaid leave days leave as paid leave days about three years down the road.

I ask you just simply, who is it who is going to pay for the 36 special leave days that will be owed to each of these employees when you designate them as critical, and exactly how is that saving anybody any money?

**Hon Mrs Grier:** The social contract is going to achieve savings in a broad number of areas throughout this government and within the Ministry of Health, but not at the expense of critical services.

The member says, "When will they know"? The owners and operators of ambulances have been in discussion with the ministry since the social contract

was signed and since the legislation was passed about how to implement it, and they have had clear direction from this ministry that we do not want them to take action such as laying off operators until we have reviewed their plans and passed a regulation that indicates how they are to implement. I regret that some of them have taken advantage of the situation to issue layoff notices. I regret that and I hope those notices will be rescinded.

1420

#### VIOLENCE IN SCHOOLS

**Mr Michael D. Harris (Nipissing):** My question is to the Premier, and welcome back. Earlier today, in the legislative press room, a survey was released by Central Toronto Youth Services that found eight out of 10 senior public school students reported being exposed to acts of violence in schools. As a father of two young boys, I found those results that were released today rather shocking. Other Ontario parents I believe will share my concern when they hear the alarming news from today as well.

I would suggest to you that we have enough challenges before us to educate our children and to ensure our children's safety without having to fear for their safety in Ontario schools. If this report is accurate, the situation in our schools quite frankly is critical. I would like to ask you, Premier, if you believe the statistics and the results of this survey that were released today, if this is an accurate reflection of our schools in Ontario today.

**Hon Bob Rae (Premier):** Again the honourable member has the advantage of having a piece of paper in his hand that I haven't seen. I don't know what the report refers to, I don't know what the survey was of; I don't know of whom it was done; I don't know exactly to what you are referring. If you're asking a general question with respect to the subject of our schools and with respect to the safety of children in our schools, obviously this is something we all take very seriously.

You have two young children and I have three young children in public schools in Ontario. All of us have children, grandchildren, nieces and nephews in our public and separate schools in the province, and we all feel very strongly about the need to provide for them and to provide a good learning environment for them.

We have a royal commission on education which is now conducting hearings across the province, talking to parents and teachers about their concerns. I'm sure if there are concerns with respect to this issue, it will be something that will be addressed and talked about, and I'd be very interested in seeing the material which the honourable member is referring to.

**Mr Harris:** About the only advantage I have over you, Premier, is that my staff attended the press conference, along with a considerable number of people,

which was held right here at Queen's Park. It was a survey study that was being released by Central Toronto Youth Services; well publicized that it would be released today, so having a care and having a concern, obviously we attended. But let me give you other facts. If that's an advantage, of monitoring what's happened, so be it: I've got an advantage on you.

There have been three reported stabbings in Metro schools since the school year began less than a month ago. Organizations tell me they have absolutely no sense that your government has a handle on the problem or that you have any kind of an action plan. Two years ago the former Minister of Education, Marion Boyd, in case you forget who it was back then, said, and I quote: "I'm deeply concerned about violence in our schools. The Ontario Teachers' Federation can count on my ministry to eliminate the threat of violence." Two years ago it was the threat of violence; today it is violence.

How much longer are we going to have to wait for your government, for your Minister of Education, whoever it is at any given point in time, to act upon a growing problem in our schools today?

**Hon Mr Rae:** I've heard the rhetoric of the honourable member before, and I know he tries to ride the back of every press conference on to whatever part of the daily newspapers he can get on to. If he's serious about this issue, he would appreciate, as anyone would appreciate, that it's complex, that it's difficult, that it relates to what's happening to families, that it relates to what's happening to our economy, that it relates to what's happening to all of our society. It relates to the relationship of teachers and students, of parents, teachers and students; to many, many concerns. It is not a facile or rhetorical issue that's going to be solved by somebody standing up and saying, "What are you going to do about it?" That's not what it's about.

It's about an issue that matters to people. It's an issue that takes concern. It's an issue that takes steady action, and I would say to the honourable member, if he's serious about this, he'll understand that you don't ride these issues on the back of a press conference. You take them seriously and deal with them every day, as our teachers are doing, as our parents are doing, as our school boards are doing and as our ministries are doing, and that's how this government intends to deal with it, not in the rhetorical, facile way that's been put in play by the leader of the third party today.

**Mr Harris:** First of all, Premier, you will find out that I didn't pay \$1 million for this press conference. I simply attended the press conference. Two years ago, OTF released the result. Your Minister of Education two years ago promised action. A year ago, I released a document entitled New Directions, Volume Two on education that begged and cried out and pointed a way for action for your government to take, and you have done nothing. Today is just another one of a long list of

surveys that have been released.

Let me give you another one that is out there and available for you, a survey by Queen's University of 17,000 elementary and secondary school teachers in Canada that found that 20% of teachers in Ontario felt physically threatened while on the job. That compared, by the way, with 10% for British Columbia. The Federation of Women Teachers' Associations of Ontario says that teacher assaults continue to rise.

This isn't something that occurred with one press conference today. This is escalating throughout your mandate as Premier and throughout your mandate as government.

One of the problems they face is that so many incidents go unreported. The federation of women teachers has asked you before to have mandatory reporting of the incidents so we can get a handle on what is happening. After this last survey has been released today, will you now accede to the request of several years ago of the Ontario Teachers' Federation to have mandatory reporting of incidents of violence in our schools?

**Hon Mr Rae:** I've heard the results of many of the press conferences which the leader of the third party has attended from time to time, even some that he's organized, and we all know the consequences of those. So I would say to the honourable member that before I would take his advice with respect to the press conference held today, I would want to think very carefully and reflect very carefully on the advice that's received and reflect very seriously on the problem that's there.

If there's an issue of reporting, I would want to check my facts before I spoke and before I reacted. I would want to check all those things before suddenly reacting, because that's the difference between being in government and being in the third party, a lesson we've all had to learn with regard to this issue.

#### ONTARIO HYDRO

**Mr Michael D. Harris (Nipissing):** In the absence of the Minister of Environment and Energy, I would like to ask a question to the Premier. Last week Ontario Hydro announced, through its president and new CEO who you personally appointed, Premier, that Ontario Hydro will lose more than the original \$1.6 billion that it had projected to lose for this year. That is more than the combined surplus of funds that they plan to use to pay off the deficit this year. Ontario chair Maurice Strong admitted that the utility does not have enough in its reserves to cover the magnitude of the loss.

1430

I would ask you this, Premier. This will be the first time in Hydro's history that the utility will see back-to-back losses. Obviously, Hydro is facing a very different future than we were all told just a year ago and which was in its original forecast. Could you tell us today

what plans Ontario Hydro has to make up this shortfall?

**Hon Bob Rae (Premier):** I think that the chairman of Hydro—it wasn't the president of Hydro, by the way; it was the chairman—has made it clear that the utility intends to live with its commitment to keeping the rates down for this year and in future years. He's already indicated that Hydro will be reducing its capital spending and making its adjustments in that area and reducing its spending overall, and that Hydro fully intends to live up to the commitments it's made to the ratepayers of the province, again an issue that requires a degree of thoughtfulness and that requires also some real analysis as to what's taken place in the economy.

If anybody would say that the future looks very different, I would say that's true. The future does look different. It certainly looks different from the baloney we were fed by Tory administrations for 42 years on what the benefits would be of overbuilding the nuclear power capacity of this province to the extent which it has. Hydro is wrestling with a capital debt, the vast majority of which is due to the unbelievably wrong-headed decisions that were made by the administration of which the honourable member was a member, going back to the mid-1970s, and that's a fact.

**Mr Harris:** Thank you, Premier. Nobody has questioned that you're the best in pointing the finger at anybody else over the last 100 years; you've been the best and still are. But what I am pointing out to you is the difference between what Maurice Strong and your Minister of Energy told us last year in this House and what Maurice Strong is saying today.

There are only two options to make up this shortfall. Given that there are not going to be increased sales, as Maurice Strong has indicated—they are still in fact hoping to have another decrease in sales with the energy conservation program—there are only two options to make up the shortfall: (1) hike Hydro rates; (2) accumulate on top of the capital debt new operating deficits that will accumulate for a couple of years. I would ask you, Premier, which of those two choices is it going to be: higher rates, or are you going to add now to the capital deficit by piling an operating deficit on top of it? Which of those two?

**Hon Mr Rae:** I would say to the honourable member that if he goes through life saying there are only two options, then he's going through much of life with blinkers on. In fact, Hydro faces a number of very tough options and difficult decisions, as does the government. The one we've made it clear that we don't want to do is that we don't want to raise rates, because the rate structure established under the Tories and the Liberals is in danger of making Ontario industry uncompetitive when it comes to hydro rates. That's why we're determined to keep those rates down. We don't want Tory hydro rates and we don't want the Liberal hydro rates. We want to keep the rates down so they'll be competi-

tive for the future of this province. That's the first thing we're saying.

I would say to the honourable member that Hydro has itself made very clear that it is going to do everything it can to reduce capital and operating expenditure in order to keep the utility as close to being on budget as it possibly can.

**Mr Harris:** Let me say that every business I have talked to says that eight years ago hydro rates were an advantage, and eight years later, after Liberal and NDP governments, it's a disadvantage to doing business. It's totally uncompetitive. As terrible as the Tories were for 42 years, hydro rates were a competitive advantage, and today they're not. Admittedly, it wasn't perfect; they made mistakes. We all acknowledge that, and you're the master at pointing it out.

Let me tell you, Premier, that all the things you've said Maurice Strong now says will not be enough to cover the shortfall for this year, including using all the reserves, and he also said publicly it won't be enough next year.

If you're committed to a rate freeze through to the next election, doesn't that mean double-digit rate increases to pay for the increases, to pay for the piling up of debt over the next two years, right after the next election? Isn't that the real strategy you're putting forward?

**Hon Mr Rae:** No, because we have learned the lesson of the danger of the kind of credit card existence you built up in the 1970s and 1980s.

The Leader of the Opposition is laughing. When she was the Minister of Energy, she didn't have to pay for Darlington. Darlington came due when Darlington came on stream. It was a facility built on credit by your administration and that administration, and it now has to be paid for. You may think that's a laughing matter, but I don't think the consumers do, and I think the consumers of this province are entitled to know who built up the debt. It was Liberals and Tories who built up Hydro debt, and we're now having to pay for it. That's a fact.

#### TOBACCO SMUGGLING

**Mr John C. Cleary (Cornwall):** My question is to the Solicitor General. Yesterday, members demanded action from the Solicitor General to curb the smuggling in the Cornwall area. The Solicitor General responded that the government had things in hand, namely, the formation of a task force, and that the mayor of Cornwall was satisfied.

However, the majority of activity is not occurring within the city of Cornwall but in fact is east of the city, in the townships of Charlottenburgh and Lancaster, along the St Lawrence River and crossing the international bridge at Cornwall, and not everyone is satisfied that the government has things in hand.

This morning, Reeve Dave MacDonald of Charlottenburgh township said that his municipality heard nothing new last Thursday that he hadn't heard 20 or 30 times over the last year. The reeve told me it was a waste of a trip to go to Ottawa. As long as there's no serious violence, he doesn't feel the government will act very quickly.

Reeve Charles Sangster echoed the sentiments and took issue with your comments that it was not up to you to see that the Lancaster detachment of the OPP remains open all night. Mr Sangster had a message for you: You're in cabinet, and you are in a position to fight for the funds from the government that would allow the OPP to operate more effectively.

I would like to ask the Solicitor General to tell the people of eastern Ontario exactly how and when his government will put smugglers out of business.

**Hon David Christopherson (Solicitor General):** I again thank the member for raising this most important issue. He raised a whole host of issues in his question. I'll attempt to answer a couple, and if he'd like to be more specific in the supplementary, I'll be pleased to focus more directly on those specific issues.

With regard to the Lancaster detachment, let me say very directly that I have spoken to the OPP commissioner twice personally since our meeting on that issue and advised him of its importance. I believe that the decision as to whether or not to deploy, redeploy, where to position people, staff and resources should remain an operational matter. However, I accept fully my responsibility to answer ultimately for those decisions here in the Legislature and to the public, but I do think, at this point, that operational decision needs to be with the OPP commissioner. He has assured me that is a top priority and we can expect a resolution to that very quickly.

Mr Speaker, I see you indicating to hurry up. I'll ask the member if he could be a little more focused in his supplementary and I'll be pleased to answer his questions.

**Mr Cleary:** The Solicitor General is responsible for policing in the province and the protection of all citizens. Local police officers told me today that one of the problems in catching smugglers is the physical location of the customs office on Cornwall Island. Cigarettes are moved in by boat from the US to Cornwall Island and then transported by land to Ontario for distribution here and in other provinces, bypassing the customs office within metres with their smuggled cigarettes.

Last Thursday, our delegation tried to get the message across to the federal customs officials from Ottawa, who didn't seem to know what we were talking about. For anyone who doesn't understand, I brought a map and I'd be glad to explain it to them. Our province has

lost millions of dollars in lost revenue, so I hope the minister will not say it's a federal problem.

1440

My question therefore is, what can the Solicitor General tell the people of my riding who fear for their safety and the lost revenue, and what will he do about the placement of the customs office on Cornwall Island?

**Hon Mr Christopherson:** I think one of the most important aspects of what is happening with regard to the response to the issue in Cornwall and the surrounding areas has been the formation of the police task force. This again does bring the different jurisdictional responsibilities together in one place. I know the opposition doesn't particularly like to hear that, but they also know that's the reality, and certainly that was confirmed at the meeting we had where everyone understood that there were a lot of different jurisdictions and if we didn't have all the players together, there really wasn't going to be a resolution.

The customs office is a federal responsibility. Our responsibility in all of this is very clear. The largest part of that is the OPP. I stand here quite willing to respond to the concerns of the OPP role in the task force, the OPP responsibilities in the province of Ontario. I go so far as to ensure that there are meetings being held where issues that cross outside the provincial responsibility are aired and we're all aware of them, but I cannot assume responsibility for those decisions. They're the responsibility of the federal minister, and the honourable member indeed knows that.

I still remain very confident that we're following the right process and that the police are the people to put together the action plan. Give them a chance to do their job and then we can do ours.

#### JUSTICE SYSTEM

**Mr Robert W. Runciman (Leeds-Grenville):** I have a question for the Attorney General. Last Wednesday, police discovered the body of a 16-year-old aboriginal boy in a shallow grave near Smiths Falls. He had been murdered 13 months ago and no one reported his disappearance: not the children's aid society, of whom he was a ward, nor his relatives—nobody. Even more surprising, his death was not reported by the six, possibly seven, people who stood around and watched while one man bludgeoned the boy to death.

One person has since been charged with murder; two others are charged for helping dispose of the body. But, outrageously, no charges have been laid against the six or seven people who police say stood back and watched as the beating dragged on for hours, and who then kept quiet about the murder for more than a year.

Minister, will you indicate whether you intend to review the decision of the local crown not to pursue charges against the people who engaged in this sick spectator sport, and if not, why not?

**Hon Marion Boyd (Attorney General):** I certainly have no intention of responding directly to the question as asked, because as I understand it from my notes, this matter is still under consideration. It would be inappropriate for me to comment at this time.

**Mr Runciman:** That kind of response makes me and most Ontarians nauseous, because that's the sort of thing we get from important justice officials in this province in respect to matters like this. The crown has said clearly, the police have said clearly, that no charges are being laid. Now the minister gets up and says, "I'm going to look at this," that it's being considered. Apparently it isn't, in terms of the local officials.

This is a tragedy that the Attorney General is perpetuating. The 16-year-old aboriginal boy received no protection, absolutely none. He was missing for over a year and no one reported it, yet the crown is now providing special protection for the silent participants in this horrific murder. Their identities are kept secret, they're free to go about their business without shame or adversity, and they're not being charged, according to the local crown.

This is not a case of an innocent passerby witnessing a murder on the street. It's a group of people who casually watched one man beat a 16-year-old aboriginal boy lifeless. There was nothing innocent about it. The beating went on for hours. The Attorney General, through her non-answer, is telling the people that the people in that room had no criminal guilt.

Minister, I'd like to hear your answer in respect to how your local crown can justify these people escaping criminal responsibility for a murder they participated in through their silence, both at the time of the beating and for the last 13 months.

**Hon Marion Boyd:** In answer to the member's first question—he asked if this issue would be reviewed. I repeat that this matter is being reviewed and is being investigated, and I have no further comment to make on a matter that is under investigation.

#### PHYSICIAN SHORTAGE

**Mr Randy R. Hope (Chatham-Kent):** My question is to the Minister of Health. Currently, your ministry is redefining the underserviced area regarding the supply of doctors. Several of my communities, and I must specify rural communities, including Wallaceburg, are experiencing a severe shortage of physicians.

Ontario doctors aren't being encouraged to move to smaller communities, and those who come from out of province who are interested in underserviced areas are often being denied access. As well, communities feel that everything is up in the air, because no one knows what the new rules are going to be in the redefined underserviced areas. They don't know if any of the barriers to employment in these smaller communities will be removed.

Minister, when can we expect the new rules to come into effect, and what will your ministry do to reduce the disincentives for physicians practising in smaller communities?

**Hon Ruth Grier (Minister of Health):** The problem of getting doctors to small, underserviced communities and keeping them there is not a new one and is certainly one that this ministry has taken very seriously. I'm delighted that, through the agreement we signed this summer with the Ontario Medical Association, the Ontario Medical Association now joins us in a commitment to deal with this problem and assume some responsibility for trying to encourage and support its members who work in rural areas.

I'm glad to be able to tell the member that one of the ways that this will be done is through contracts whereby a doctor enters into a contract that he or she will practise and have some security of remuneration in a smaller area. We are currently working out the specifics of those contracts, and I hope to have that in place by the end of October this year.

**Mr Hope:** My supplementary to the minister will be—and as you can tell, I've got a cold. That means I have a hard time getting to the doctors who are in rural communities, which we don't have. But, minister, I understand—

**Mr Robert V. Callahan (Brampton South):** You go to the doctor with a cold? You are the cause of our health problems.

**Mr Hope:** It's amazing how many big mouths are in here.

**Mr Noble Villeneuve (S-D-G & East Grenville):** Do you have a mirror?

**The Speaker (Hon David Warner):** Order.

**Mr Hope:** One of the things I would like to bring to the minister's attention is that those are future initiatives. A lot of my communities need doctors now. How can we put new rules in place to help implement that strategy right now on the shortage of doctors?

**Hon Mrs Grier:** As I said in my response to the member's first question, we are working with the Ontario Medical Association as to what the specifics of the contract would be for enabling us to offer positions to doctors in underserviced areas.

We are also working, for example, with the academic health science centres and the district health councils to define more precisely what in fact an underserviced area, be it geographic or be it population, is and how we can clarify that. We also want to work with communities to help them to provide support and encouragement and an atmosphere in which doctors wish to remain, because doctors and their families, if they go to a new community, sometimes settle and sometimes stay a very brief period and then go.

So there are a number of aspects to this. We are

making a concerted effort to deal with it, and in the transition I can't give the member as precise an answer as he would want as to when we will be able to resolve the problem, other than to assure him that, yes, we now have ways of solving the problem and, yes, we now have the Ontario Medical Association helping us to solve the problem.

May I also say to the member and to all members of this House that if you have a cold, going to a doctor is not the best way to cure it.

1450

#### POLICE COMPLAINTS

**Mr Alvin Curling (Scarborough North):** I'm rather confused about this government, because the Attorney General, at one stage, can't interfere in the case and yet I understand that she had called the commissioner of police in regard to that case and asked that there be no undue delay in the case. I can't understand. Now she can't interfere.

My question is to the Attorney General. Recent media reports on two high-profile cases have heightened the concerns about the public complaints commission. At a press conference today, a large number of community organizations expressed their lack of confidence in the police complaint system.

One case, as you may recall, involved a visitor from Jamaica to Toronto who was allegedly strip-searched on a street corner in full view of passersby. A most disturbing aspect of this case is the reported attempt on the part of the police to undermine the credibility of the individual through a police leak.

My question is, surely the minister cannot be satisfied with the police complaint process. What are you doing, what specific steps are you taking, to make the police complaints system function in a manner that will restore public confidence?

**Hon Marion Boyd (Attorney General):** I think the question is a very fair question and I think a good number of people have been expressing deep concern, not only about the case that the member has mentioned, but over a period of time.

There are a number of issues that are involved in this issue, and one is the length of time it apparently takes to investigate these kinds of complaints, the inconvenience and the stress that causes for people who are alleged victims of improper behaviour and so on. That is a major issue in the particular case that the member talks about, because the visitor is wanting to go home when her visa expires.

I have spoken to the Ontario police complaints commissioner and urged that the timeliness be a primary issue. Obviously it is not my job to interfere with the investigation in any way, but it is our job to ensure that there is an efficient and effective use of process. I did indeed urge the commissioner to use his good offices to

expedite this investigation.

**Mr Curling:** The people do not believe that the system is working for them and I'm glad that you raised the question that there are other cases in view. Take a case that you must be familiar with, of Mrs F, a battered wife who was offered police protection in exchange for sexual favours. Her allegations ended up being thrown out due to a delay in informing the police of the inquiry. Furthermore, there were reported efforts to undermine the woman's credibility by conducting an investigation into her past. I would like to ask the minister if she feels that this is justice.

**Hon Mrs Boyd:** The member is well aware that this matter is the matter of a civil suit between the individuals involved and it would not be appropriate for us to discuss that case while it is pending before the court.

#### LABOUR LEGISLATION

**Mrs Elizabeth Witmer (Waterloo North):** My question is for the Minister of Labour. As you know, many people in the construction trades are deeply concerned about Bill 80. They believe that there is no demonstrated need for this legislation and they also believe that it will only contribute to chaos in the already unstable construction industry. They are very concerned that the bill is an attempt by the government to override their duly formulated constitutions and they are very concerned that you have not had any consultation with the people who are going to be impacted.

Minister, why is the legislation so necessary when there is no demonstrated need for such a bill? Why are you proceeding with this divisive bill without allowing for adequate consultation?

**Hon Bob Mackenzie (Minister of Labour):** I don't know who all the member across the way has been talking to. It's an issue that is difficult, but there are people on both sides of this issue who have been consulting with us and with whom we have been consulting over the last almost a year now. There is a lot of support for the bill, as well as some who have questions about the bill. We are in the process of finalizing that legislation now. I would dispute the comment that there's no desire for this bill among construction workers in the province of Ontario.

**Mrs Witmer:** You know that you had no prior consultation with the provincial or the national building trades or many of the other groups with respect to this law. However, given that you feel you are on the right track, if this bill is such a good piece of legislation, why does it only apply to the construction unions in this province and not all the unions?

**Hon Mr Mackenzie:** The answer to that is very simple. The construction unions have a different setup, in terms of the control of the locals or their members or their pension and benefit plans, than almost all of the industrial unions in the province of Ontario and do not

have quite the same mechanisms that exist in the industrial unions.

#### FARM MORTGAGES

**Mr Donald Abel (Wentworth North):** My question is to the Minister of Agriculture and Food. Minister, I don't have to remind you of the financial difficulties many Ontario farmers are facing, and I know that your ministry has taken great strides to assist them, especially the \$35 million that you provided to farmers back in 1991, when the federal Conservatives refused to help.

I've recently been advised by farmers from my riding of Wentworth North that one of their biggest concerns is the mortgages on their farms. During these fragile economic times, mortgages are very difficult to obtain.

**Mr Cameron Jackson (Burlington South):** Please, anybody, ask me this question.

**The Speaker (Hon David Warner):** The member for Burlington South.

**Mr Abel:** Without mortgages, some will be unable to expand or improve their operations and others may lose their farms. Mr Minister, farmers with mortgage concerns need your help. Can you and your ministry assist them?

**Hon Elmer Buchanan (Minister of Agriculture and Food):** The member raises a good question. One of the frequent questions that I receive as I travel across the province is on intergenerational transfers of farms, between generations, and what the government can do to assist people to pass the farm on to the next generation.

We did introduce a program back on April 8, I believe it was, 1993, which is called the private mortgage guarantee program and allows people to take mortgages up to \$500,000 privately for the transferring of farms or taking out a new mortgage on a farm. It's a fairly popular program, but people in many cases are not aware that it's out there. It means that the government is actively involved in guaranteeing the investors their money. It means that people who want to get into farming can get money at a reasonable rate, because we have regulated the rate of that mortgage at the guaranteed investment certificate rate less 1%.

It's a program that was designed for farmers by farmers and it's something that people should be aware of if they're looking at getting into agriculture. It provides another alternative for mortgage money to assist agriculture.

#### JUSTICE SYSTEM

**Mrs Yvonne O'Neill (Ottawa-Rideau):** My question is to the Minister of Community and Social Services. You too have responsibility regarding the horrific happening that took the life of one of our most vulnerable youth in Smiths Falls. How could this have happened? Are there not mechanisms in place, when a crime is committed, when a young person is missing for

over a year, that guarantee that a situation is reported immediately, that an investigation is begun immediately by care givers, by police, and indeed, considering the seriousness of this happening, the loss of a young life, that you yourself, Mr Minister, get a report of such incidents? Where are the management practices? Where is the responsibility of this government in this incident?

**Hon Tony Silipo (Minister of Community and Social Services):** I appreciate the member asking the question. I have to say that I find the question that she's placed to be more responsible than the statement she made in the House yesterday.

I want to start by saying that I too share the very strong concern that she's expressed with respect to the loss of this young life. I can assure her that from the minute the issue came to our attention, officials in my ministry have been reviewing the matter with respect to the activities that took place. As far as the responsibilities of the children's aid society, we have some information to date. We don't have the complete range of information, in part because the same files have needed to be used by the police for their investigation. So that's just taking a little longer.

But I can assure her that we are continuing our work on this and I think, from the preliminary information that I have, I can tell the member that I have some concerns about some of the processes that were followed. As I'm in a position to have more detailed information, I'll be in a position to be able to make more detailed responses and statements about what steps we need to take, but it's already clear to me that there are some steps that we need to take around the systems that are in place to ensure they are better followed in future situations.

**1500**

**Mrs O'Neill:** Well, Mr Minister, we have a whole new tendency today to have all our questions and statements, even yesterday, judged whether they're appropriate. I have difficulty with that.

We have here a devastating oversight, if not a coverup. We have to have immediate reaction. It's true you will have to review this certain circumstance, but surely you can send a message out to every care giver in this province, and indeed to every police detachment, that there are going to be from now on, from this minute, checks and balances and that there are going to be measures you are going to take.

Mr Minister, you have heard me speak many times about the Grandview girls. The same thing happens there: dragging our feet, not really getting involved in the issue. What immediate actions are you taking?

**Hon Mr Silipo:** I have to take some exception to the comments the member makes. I want to again emphasize with her how important I personally believe this issue is and with what importance the ministry has

been dealing with this. We have been on top of the issue from the beginning. I personally have continued on a daily basis to be updated on the progress of the review we are undertaking. I take the matter very seriously. The ministry takes the matter very seriously. What I've been doing is I think the responsible thing, which is to get all the information in before making judgements about what steps we need to take.

I'm indicating to the member two very clear things: First, we will take some very serious steps, if those steps are warranted, as soon as we have all the information. Secondly, we are doing everything necessary to get all those details and to ensure that then, beyond dealing with the specific situation, we also look at what system changes we need to put in place to ensure that this kind of situation does not happen in the future.

#### MINISTRY RESTRUCTURING

**Mr Allan K. McLean (Simcoe East):** I have a question for the Minister of Municipal Affairs. It concerns his office move—which serves all of Simcoe county—which is moving the office of Municipal Affairs from Orillia to Willowdale. Your ministry is also closing the North Bay office. It's going to be served out of Sudbury.

With the restructuring that's taking place in Simcoe county, the need for that office to continue in Orillia is most important. The clerks and treasurers of Simcoe county have very strongly sent a letter to you, sir, indicating the importance of that office staying open to serve that whole community of Simcoe county, plus it has served Owen Sound and a larger area down to Newmarket. Minister, will you change the decision of your ministry and make sure that office will stay there?

**Hon Ed Philip (Minister of Municipal Affairs):** I haven't yet seen the letter the honourable member talks about. I do appreciate that my parliamentary assistant, Pat Hayes, the member for Essex-Kent, has been in regular contact with a number of those municipal leaders, and indeed with the honourable member himself on the very meaningful hearings which we've had on restructuring Simcoe and what was, for many of the local people, a difficult decision of reducing the number of municipalities from 28 to 16, but showed some real leadership. The moment I have a chance to review the letter, I'll certainly be back to him and to other members of the House.

**Mr McLean:** I observe that the minister is not knowledgeable about the offices that are closing across this province. Those are just some that I have mentioned.

Minister, what I'm talking about is the Treasurer's indicating that he wants to have more taxes; that he's going to have more expenditures, and what we're saying is that we want you to cut spending by leaving those offices there, because in that way you don't have air flights, you don't have all the mileages attached to it. I

think, Mr Minister, you had better check with your ministry staff and find out why these offices are closing.

**Hon Mr Philip:** If the honourable member would read the record and see exactly what I responded to him, I didn't say that I was not familiar with the offices and the restructuring we are doing. Indeed, all ministries are looking for ways of economizing and delivering services more efficiently.

What I said was that I was not familiar with the specific letter that he says was addressed to me. The moment I have an opportunity to study the letter, I will of course respond to that letter. It's the letter I have not seen. Certainly, I'm familiar with the restructuring that my ministry and indeed every ministry has undergone. We have been able, in difficult times, to take some 15% off the operating costs of our ministry and 10% out of salaries and benefits as part of reducing the deficit. It's been a difficult task, and we're doing it in a way that will cause the least amount of disruption to our clients.

**The Speaker (Hon David Warner):** The time for oral questions has expired.

Motions?

#### PETITIONS

##### CASINO GAMBLING

**Mr Randy R. Hope (Chatham-Kent):** I have a petition that is signed by 30 people from the ridings of Chatham-Kent and Essex-Kent. It's a petition addressed to the Legislative Assembly of Ontario. It's got a number of whereases, and it says:

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario cease all moves to establish casino gambling in the province."

It's signed by the Crows from rural route 2, Tilbury, the Buchanans from rural route 2, Tilbury, the Turners from rural route 2, Tilbury, and also Kim Mitchell from the city of Chatham.

#### GAMBLING

**Mr James J. Bradley (St Catharines):** I have the following petition to present to the Legislature:

"To the Legislative Assembly of Ontario:

"Whereas the New Democratic Party government has traditionally had a commitment to family life and quality of life for all the citizens of Ontario; and

"Whereas families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas the New Democratic Party has had a historical concern for the poor in society who are particularly at risk each time the practice of gambling is expanded; and

"Whereas the New Democratic Party has in the past vociferously opposed the raising of moneys for the state through gambling; and

"Whereas the citizens of Ontario have not been consulted regarding the introduction of legalized gambling casinos despite the fact that such a decision is a significant change of government policy and was never part of the mandate given to the government by the people of Ontario;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government immediately cease all moves to establish gambling casinos by regulation and that appropriate legislation be introduced into the assembly along with a process which includes significant opportunities for public consultation and full public hearings as a means of allowing the citizens of Ontario to express themselves on this new and questionable initiative."

Since I agree with this petition, I will affix my signature to it.

#### PICKERING AIRPORT LAND

**Mr Robert Frankford (Scarborough East):** I have a petition from a number of residents of Scarborough, Pickering and Toronto.

"To the Legislature of Ontario:

"Whereas the federal government intends to dispose of surplus lands on the Pickering airport site that are agriculturally rich and environmentally sensitive; and

"Whereas the residents have not been informed of the immediacy of the federal government sale plan;

"We, the undersigned, petition the Legislature of Ontario as follows:

"Therefore, that the provincial government of Ontario request of the federal government of Canada to initiate a public review by panel of the federal Minister of the Environment to ensure an organized disposal protecting these rural resources and the community of residents there."

I am pleased to affix my signature to this.

#### HEALTH CARE

**Mr Donald Abel (Wentworth North):** I've been asked to present this petition on behalf of my colleague the member for Etobicoke-Lakeshore. It's addressed to the Legislative Assembly of Ontario.

"Whereas proposals made under the government's expenditure control plan and social contract initiatives regarding health care in the province of Ontario will have a devastating impact on access to and the delivery of health care; and

"Whereas these proposals will result in a severe reduction of the provision of quality health care services across the province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government of Ontario move immediately to withdraw these proposed measures and reaffirm its

commitment to rational reform of Ontario's health care system through its obligations under the 1991 Ontario Medical Association/Government Framework and Economic Agreement."

It's signed by six people from the minister's riding.  
1510

#### CASINO GAMBLING

**Ms Jenny Carter (Peterborough):** I have a petition from 27 parishioners of St Matthew's-Donwood pastoral charge which draws both from my riding and that of the member for Hastings-Peterborough.

"To the Legislative Assembly of Ontario:

"Whereas the Christian is called to love of neighbour, which includes a concern for the general wellbeing of society; and

"Whereas there is a direct link between the higher availability of legalized gambling and the incidence of addictive gambling (Macdonald and Macdonald, Pathological Gambling: The Problem, Treatment and Outcome, Canadian Foundation on Compulsive Gambling); and

"Whereas the damage of addiction to gambling in individuals is compounded by the damage done to families, both emotionally and economically; and

"Whereas the gambling market is already saturated with various kinds of government-operated lotteries; and

"Whereas large-scale gambling activity invariably attracts criminal activity; and

"Whereas the citizens of Detroit have since 1976 on three occasions voted down the introduction of casinos into that city, each time with a larger majority than the time before;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario cease all moves to establish gambling casinos."

#### PICKERING AIRPORT LAND

**Mr Larry O'Connor (Durham-York):** I've got a petition here to the Legislative Assembly of Ontario.

"Whereas the federal government intends to dispose of surplus lands on the Pickering airport site that are agriculturally rich and environmentally sensitive; and

"Whereas the residents have not been informed of the immediacy of the federal government's sale plan;

"We, the undersigned, petition the Legislative Assembly as follows:

"Therefore, that the provincial government of Ontario request the federal government of Canada to initiate a public review by a panel of the federal Minister of the Environment to ensure an organized disposal protecting these rural resources and the community residents there."

I sign my name to it to support all the good people in

rural Uxbridge and Whitchurch-Stouffville who are going to be affected by this.

**Mr Jim Wiseman (Durham West):** I also have a petition to the Legislature of Ontario:

"Whereas the federal government intends to dispose of surplus lands on the Pickering airport site that are agriculturally rich and environmentally sensitive; and

"Whereas the residents have not been informed of the immediacy of the federal government's sale plan;

"We, the undersigned, petition the Legislative Assembly as follows:

"Therefore, that the provincial government of Ontario request the federal government of Canada to initiate a public review by a panel of the federal Minister of the Environment to ensure an organized disposal protecting these rural resources and the community residents there."

This is signed by residents of Scarborough, Pickering, Markham, Stouffville, and all the area around indicating again the wide breadth of support that the people of North Pickering have again, as this revisits their lives over and over again for the last 20 years. I affix my signature and hope that something can be done to help these people.

#### SCHOOLS FOR THE DEAF AND LEARNING DISABLED

**Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings):** I have a petition to the Parliament of Ontario.

"Whereas the Ministry of Education proposes to substantially modify the provincial schools for the deaf and learning-disabled by either downsizing, closing parts of or restructuring the schools, resulting in significant hardship for students, families, employees and the local community for the purpose of saving money; and

"Whereas the Sir James Whitney Parents' Association believes that the quality education delivered today within the current provincial schools for the deaf and learning-disabled provides the lowest total-cost option available, while allowing deaf students to wholly develop within their own culture and to receive the best education possible;

"We, the undersigned, petition the Parliament of Ontario as follows:

"(1) Maintain the current provincial schools for the deaf and learning-disabled until an acceptable model from all interested parties has been developed; and

"(2) Empower local boards of trustees, as set out in model 5, to manage their own budgets within ministry guidelines and funding."

These petitions include the signatures of literally hundreds of people in the area affected by the concerns raised here.

**Hon Brian A. Charlton (Government House**

**Leader:** Mr Speaker, I seek consent to return to motions.

**The Deputy Speaker (Mr Gilles E. Morin):** Is there unanimous consent that we return to motions? Agreed.

### MOTIONS

#### FIRST DEPUTY CHAIR

**Hon Brian A. Charlton (Government House Leader):** I have two motions that I wish to move this afternoon, and I should tell some members opposite that one of them is not the motion that comes out of the rumour they've been all talking about for the last couple of weeks.

It's a very great pleasure for me to move that Ms Harrington, member for the electoral district of Niagara Falls, be appointed First Deputy Chair of the Committee of the Whole House.

**The Deputy Speaker (Mr Gilles E. Morin):** Is it the pleasure of the House that the motion carry? Carried.

#### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon Brian A. Charlton (Government House Leader):** The second motion is that I move that notwithstanding standing order 96(a) the House will not meet to consider private members' public business on Thursday morning, September 30, 1993.

**The Deputy Speaker (Mr Gilles E. Morin):** Is it the pleasure of the House that the motion carry? Carried.

#### INTRODUCTION OF BILLS

##### LAND CONSERVANCY CORPORATIONS ACT, 1993

##### LOI DE 1993 SUR LES SOCIÉTÉS DE PROTECTION DES TERRES

On motion by Mrs Mathyssen, the following bill was given first reading:

Bill 92, An Act respecting Land Conservancy Corporations / Projet de loi 92, Loi concernant les sociétés de protection des terres.

**The Deputy Speaker (Mr Gilles E. Morin):** Would you like to say a few words?

**Mrs Irene Mathyssen (Middlesex):** Just briefly, the purpose of this bill is to promote the conservation and protection of significant lands in Ontario by providing new rights and exemptions in favour of land conservancy corporations.

#### ORDERS OF THE DAY

##### ENVIRONMENTAL BILL OF RIGHTS, 1993

##### CHARTE DES DROITS ENVIRONNEMENTAUX DE 1993

Resuming the adjourned debate on the motion for second reading of Bill 26, An Act respecting Environmental Rights in Ontario / Projet de loi 26, Loi concernant les droits environnementaux en Ontario.

**Mr David Tilson (Dufferin-Peel):** I left off yester-

day outlining some of the concerns that our party has and that will be reiterated by other members of our caucus as this debate unfolds. I believe other members of this House will have some concerns.

The difficulty, of course, in continuing on a second day is the break of one's train of thought in a presentation, but very briefly, as we know, the key provision of this legislation is that there will be a new electronic registry to provide public notice of significant environmental decisions. That will incur considerable cost to the taxpayer.

There will be new rights of public participation that vary depending on the instrument involved, and I believe we will be spending some time on what the word "instrument" means as defined by the legislation and indeed how far this public participation will go.

There will be a public right to sue polluters who have caused damage to the environment.

There is a public right to request reviews of government environmental policies.

Finally, there is an office of the Environmental Commissioner, who is a watchdog to monitor government performance.

As I indicated yesterday, my basic fear of this legislation is that we're creating a false sense of security, a false set of expectations in the people of this province about what this bill will be creating. In other words, the purpose of the bill is to give Ontario a right to a clean environment and our individual rights. That is the intent of the bill, and I really question whether that will be found under this bill.

The second concern I had, which I expressed yesterday, was the bureaucracy that's going to be created, a whole new bureaucracy that's going to be incurred, as well as costs to the government and costs to the individual with respect to the courts; finally, as I indicated, the whole subject of a new bureaucracy, being the commissioner.

#### 1520

The commissioner, it was indicated by the government, will be a watchdog of the government. Can the commissioner order an injunction on the government? The minister indicated that the answer to that question was no, he or she can't.

Can this bill be implemented with the current staff, or is it going to be necessary to enlarge the bureaucracy? The answer by the minister was that it can be done with the current staff. With due respect, I question that, when all of the 14 ministries are going to have to be preparing reports and expanding, as well as the unlimited number of bureaucrats the commissioner can retain. I read that section into the record yesterday, that the commissioner has absolute discretion to appoint as many bureaucrats as he or she wishes.

In terms of what the pricetag is, the minister has

indicated that for the first two years it will cost \$4 million. My question of course is that when we're cutting back with the social contract this government is undertaking, when people are losing their jobs in this province, is this the appropriate time to get into this type of venture? If we are, can we not do it another way? Is this the only way to do it, by creating another bureaucracy? Those questions will be asked as time goes on and certainly will be asked at the committee level.

I did offer my congratulations to the minister and I repeat those congratulations that he was able to get—and it may have been going back to the previous minister as well—two groups that normally fight each other on environmental issues; that is, the environmentalists, that I suppose we all are, as well as the business community. They did get together and, generally speaking, those two groups that formed the task force did generally agree on the draft bill which ultimately came forward as the bill that's before this House.

However, there were several groups that expressed their concern and their lack of participation.

Many of us represent rural communities, and this sector has expressed a high level of concern with the proposed legislation. This of course is the agricultural industry, and the agricultural industry has expressed concern.

The initial concern of the agricultural industry was focused on the fact that the task force that drafted the bill did not include any direct representation from the agricultural industry. The farmers, no question, will be greatly impacted by this legislation, and there's a general feeling that they should be at the negotiating table. For some reason, the government chose to ignore the farmers and leave them off this task force.

The Ontario Federation of Agriculture, which is Ontario's largest general farm organization, views the new bill as somewhat more farmer-friendly than the private member's bill that was introduced by the first Environment minister, Mrs Grier, when she was in opposition. However, the farmers still express some lingering concerns which need to be addressed.

One of the concerns the agricultural community has put forward is the definition of public land, which is a concern of the Ontario Federation of Agriculture. Farmers are asking whether the "natural environment" of "public land" would mean that farmers would have to restore agricultural land that has been developed for farming.

Michael Cochrane, who is chair of the Environmental Bill of Rights task force, is quoted in the July 20 edition of Farm and Country newspaper as stating: "If you operate in an ordinary course on your own land, nobody is going to hassle you. If the farmer did some-

thing that would cause harm to public land, air or water, you have to fix the mess." This comment by Mr Cochrane leads to more questions, most notable of which is, what would constitute an "ordinary course" by a farmer in his operations?

That Farm and Country publication, which came out July 20, 1993, made a number of comments which I'd like to refer to. It's an article by Bernard Tobin of Farm and Country. The major changes include that the Drainage Act does not fall under the umbrella of Bill 26, that the Drainage Act already maintains an appeal process to the drainage tribunal; and the definition of wetland has been dropped.

The subject of wetlands has always been a topic that seems to cover a whole wide range of ministries. In fact, ministries don't seem to get along on the whole topic of wetlands, and we could spend an hour and a half on that subject alone. But for some reason that definition has been dropped.

"The Farm Practices Protection Act has not been strengthened but it has been clarified so that the complaints resulting from noise, dust and odour must first proceed through the Farm Practices Protection Board before the Environmental Bill of Rights can be used to rule on a decision."

Mr David Armitage, who is an Ontario Federation of Agriculture policy analyst, said that the definition of public land has been a thorn in the side of farm leaders. He says that many farmers have been asked whether the "natural environment" of "public land" would mean that farmers would have to restore agricultural land that has been developed for farming.

I recommend that this article be read by members of the House and other interested parties who are going to be proceeding. Certainly the subject of the farmer wasn't involved in these proceedings, and the farmer does have concerns. We have been assured by the Minister of Environment and Energy that the farmer will be protected, but the farmer still remains uncertain.

As I indicated, Mr Armitage has noted that the Environmental Bill of Rights may not be the appropriate mechanism to protect the environment.

Another agricultural organization, the Ontario Corn Producers' Association, has also expressed concerns with the legislation, and it too was not part of the process. They have a newsletter that comes out. Specifically, in the July 1993 newsletter they talked about the Environmental Bill of Rights. In this letter, the Ontario Corn Producers' Association noted that its major concern "is the legalistic approach to environmental responsibility." Quoting from the newsletter, "We believe a more effective approach to environmental stewardship involves the encouragement of a public ethic through education and voluntary action, principles embodied in the development of the agricultural com-

munity's farm environmental agenda initiative."

I don't know whether the task force got into that, but I'm certain that the corn producers will be coming to the committee and giving their thoughts on this subject. I would like to hear more about it, as I'm sure other members of the House would before we give final vote on this bill.

It's being stressed that the farm sector is demonstrating an impressive track record on voluntary environmental initiatives. That's what the farming community has said. Most notably, a coalition of representatives from the Ontario Federation of Agriculture, Christian Farmers Federation, AgCare and the Ontario Farm Animal Council drafted a plan called Our Environmental Agenda. I understand that this program encourages farmers to formulate environmental farm plans to identify potential risks on their operation and set goals for the minimizations of these risks. Examples of areas under scrutiny include pesticide storage, handling of livestock manure and well-water conditions.

I think it's incumbent upon us to listen to these people. I'm not blaming the task force, but for some reason all of these people were left out of the task force. We've heard a position from the business people of this province and the environmental community, but we've certainly heard nothing from the agricultural community. I know they will be letting their views be known at the committee stage.

**1530**

Roger George, who has spoken to many committees in this House and is the president of the Ontario Federation of Agriculture, notes that their environmental program is way ahead of the Environmental Bill of Rights. He says: "We are doing something that is stronger than what Mrs Grier has planned. We are setting standards above the legislation."

In other words, the agricultural community is saying, "What we're doing voluntarily is even further than what the bill of rights is setting forth." When we get a certain segment of our society saying that, I think that before we go ahead and start building an expensive bureaucracy, an expensive registry system and all kinds of other things that are going to affect the farmer, we should at least listen to them and see whether they can offer any alternatives.

Another concern in the agricultural industry, as I've indicated, is the effect that the Environmental Bill of Rights will have on the existing Farm Practices Protection Act. This legislation was passed in 1988 and was strongly supported by the farm community. It protects farmers from nuisance lawsuits such as odour, noise or dust complaints.

Now, the minister and ministry officials have told members of this House individually on a number of occasions that farmers will continue to be protected

against nuisance suits by the Farm Practices Protection Act. The concern of the farmers is that they have argued that the existing legislation is very limited in its ability to protect them. Mr Armitage, whom I've referred to, of the Ontario Federation of Agriculture, states: "If the Environmental Bill of Rights is to go ahead and the Farm Practices Protection Act is to protect farmers, then we have to strengthen it. We have to look at pesticide use that doesn't fall under the category of dust, noise or odour."

I'm reiterating a concern that's been put forward by the agricultural community that they generally fear the Environmental Bill of Rights legislation, that they're not going to be given the protection that the minister has indicated they will have, and hopefully that this will come forward in the committee stage, perhaps a strengthening of the Farm Practices Protection Act.

The other two areas which I would like to refer to are the concerns of our municipal partners, the concerns of the municipalities on what effect the Environmental Bill of Rights is going to have on them, and finally the legal community. The legal community, of course, was represented on the task force and many lawyers who were on the task force have spoken very positively as to the Environmental Bill of Rights. They may be right, they may be wrong, and it remains to be seen, because there certainly has been some position.

**Mr Paul Klopp (Huron):** What is your position on the lawyers?

**Mr Tilson:** I'm sorry? Well, don't say anything. Just be quiet and listen.

The Canadian Bar Association did put in a submission back in November commenting on the draft bill, which has subsequently become the draft bill that's before us, that's received first reading. I think many of us have just received this and I would recommend that all members of the House look at this. The sections have changed, but basically their criticisms are valid and, I think, should be looked at. I'm going to refer to some of them, although acknowledging that the sections that are referred to don't match the sections in the bill. But the general concepts are valid and should be considered by all members of the House.

Referring to this document, which is dated November 12, 1992, and presented by the Canadian Bar Association—it's entitled Submission to the Minister of the Environment on the Proposed Environmental Bill of Rights, 1992. There are about 40-odd pages and it's essentially a clause-by-clause review of the then draft bill. Some of them are interesting. Specifically, there's a section that deals with definitions and purposes. Just briefly, paraphrasing what it said, the subsection, which is section 1, defines the terms found in the Environmental Bill of Rights. The Canadian Bar Association subcommittee has concerns regarding the consistency of the definitions in the Environmental Bill of Rights with

the definitions in the Environmental Protection Act. I think that is a genuine concern. We already have a piece of legislation. Is there going to be a conflict with the definition in the new legislation and the existing legislation that we already have?

"Unless there is a reason not to use the EPA definitions, the definitions in the EBR should be the same. If a change is required in the EBR definitions then that change should be incorporated in the EPA as well." That's a legitimate concern, that if we're going to have two conflicting pieces of legislation with two definitions, those items should be tidied up.

For example, they speak about the definition of the environment and ecological systems. "The EBR defines 'environment' as meaning 'air, water, land, plant life, animal life, and ecological systems of Ontario.' The addition of 'ecological systems' to the definition of 'environment' may pose interpretation problems. The phrase 'ecological systems' should be defined in the act."

The solicitors are quite right. We've heard members of the task force, legal representatives of the task force, trying to reassure us that there isn't going to be the tremendous influx of legal proceedings before the courts, but matters even such as this are grounds for application to the court. So this paper, although it was made in advance of the current bill, should be looked at.

Continuing on with the report, "Moreover, 'plant life' and 'animal life' are also mentioned in the definition of environment. They may also require further definition if these are to be included in the definition of 'environment' and add something distinct to the meaning of environment apart from ecological systems which would otherwise appear to encompass plants and animals."

Then the paper went on through a number of other definitions, which you can all read. Some of you may already have read it, but I will recommend that you do read this paper.

The bar association then goes on to the topic of public participation in government decision-making. It mentions how the Environmental Bill of Rights sets out the process by which the public is invited to comment on proposals for policies and acts, regulations or instruments. That's a subject, I might add, the issue of instruments, that the municipal people seem to be concerned about as to what an instrument is and the effect on municipalities and the challenges by members of the public to that process. I will, if time permits, be dealing with that because the concern of the municipalities is that this is going to result in more downloading of taxation on to the municipality.

The paper continues, "While the CBAO subcommittee supports the government policy initiative respecting public participation in government decision-making, it has some concerns with respect to the process as

presently provided in the proposed EBR." This is the part that I think we should all consider: "On the one hand, there is a concern that public comments will be too easily ignored or even dispensed with at the minister's discretion." You may recall that yesterday I expressed that concern of the political discretion that's available to the minister to decide whether some matter is applicable or not applicable, and that is a concern of the bar association.

"On the other hand, to require that each comment is entitled to an explanation as to why it was or was not considered is an enormous commitment of resources, depending on the number of comments received, and may delay already long and expensive procedures." So it can go the other way. The individuals, simply by demanding comments from specific ministries, can delay the process so that ministries will be required to put forward more funds, more resources, to deal with perhaps an influx of questions from the public. That in turn will result in substantial expense to the taxpayer of this province.

#### 1540

The subcommittee of the Canadian Bar Association therefore recommends "that if a notice and comment system is to be implemented, there must be a meaningful as well as efficient way to deal with such comments. If comments are too easily ignored or too burdensome to respond to, the EBR, in practice, will not be an improvement over the present informal system."

I think that's the real question we should all be looking at if we're trying to improve this bill of rights that is before us. How is it improving the existing system? Is it improving the existing system? Is it making it more complicated? Is it going to result in more unnecessary bureaucracy? Are questions that are going to be asked by members of the public to be left unanswered because of this vague discretion that the minister may have? I think that's a concern that we need to look at in the committee stage and spend some time on. If we're going to have an Environmental Bill of Rights, let's have one that's going to have some teeth to it.

The Canadian Bar Association also refers to the topic of ministry statements and talks about the contents and form of the statements of environmental values to be developed by each ministry. They submit that these are quite open-ended. These are the statements by the various ministries that are going to be prepared. The report says:

"While as these statements are developed an accepted form may emerge, standards or criteria for the content/form of such statements may be appropriate. Under the Environmental Assessment Act and regulations a summary statement of environmental assessment contents is required to be produced in a consistent form. Such an approach may be appropriate here."

"It is questionable whether such statements, which will inevitably be very general, will assist in environmental protection as they do not have any legal effect."

That's a reasonable criticism. Here we're going to be asking all of these various ministries to be preparing these statements, yet they're not going to have a legal effect. So why are we going through all that exercise? Why are we putting the ministries to that expense and the resources of preparing all this? Is it simply for our perusal? We may or may not agree with it. They certainly won't have any legal effect. That's an area that we need to spend some time on as well.

The bar association also commented on the environmental registry, which I had referred to yesterday as being a very potentially expensive process. The bar association as well is concerned with the costs of implementing a registry system. The report says:

"It is suggested user fees be considered, as discussed in the task force's report. Ad hoc users should not be required to pay since this would be costly to administer; however, users on a mailing list for each subject area should be required to pay an administrative fee. User fees, however, should not become a barrier to access to the information contained in the registry."

I think everyone's going to acknowledge, when you implement this type of process, the environmental registry, it's going to be very costly. If we do get into a user system, we want to make sure that it's accessible to all and that this shouldn't be a barrier. That's reasonable.

**Mr Chris Stockwell (Etobicoke West):** On a point of order, Mr Speaker: I think we should have a quorum. This is a very important debate.

**The Deputy Speaker (Mr Gilles E. Morin):** Would you please verify if there is a quorum.

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** A quorum is present, Speaker.

**Mr Tilson:** There is also in this report considerable criticism, as I had indicated in my remarks yesterday, of the position of the Environmental Commissioner, stating that the powers of the Environmental Commissioner are few and the role of the Environmental Commissioner is weak. It's a very sound criticism and I think we need to look at that.

The subcommittee indicated it was "concerned that the five-year appointment of the EC may be too long. The appointment potentially succeeds the life of the government appointing him/her, which may create the problem of accountability. The EC's five-year term is long considering the general practice of a maximum of two- to three-year terms for ministerial appointees."

I don't know whether that's a valid criticism or not, but I'd like to hear more from the bar association. I assume they will be appearing before the committee to reiterate many of their concerns.

I would like to spend considerable time going through this, but I know the bar association will be appearing and updating this report. This report of course was presented prior to the introduction of this bill, but has basically the same comments to the draft bill that came out with the task force, which is essentially a mirror of the existing bill.

The municipalities are another area that I think we should look at. There was a letter that was sent to the coordinator of the implementation, Environmental Bill Of Rights, this July by the Association of Municipalities of Ontario. I don't believe that AMO has actually prepared a report, but some of the concerns it has expressed in this letter, and no doubt will follow in its report, are another area of concern, because one of the major concerns I have and that I will be submitting at the committee level is the cost that's going to be potentially passed down to the municipalities.

This letter which, as I said, was dated July 29, comments on the whole issue of instruments, instruments being licences, permits, that sort of thing. What does the word "instrument" mean? The word "instrument" is defined in the bill as, "Except as otherwise provided under clause 122(1)(c), means any document of legal effect issued under an act and includes a permit, licence, approval, authorization, direction or order issued under an act, but does not include a regulation."

That's all great legalese, and I think that's the concern of many of the municipalities I have spoken to, as to what does that include and what effect is that going to have, particularly on the bill of rights, affecting potential zoning, severance applications or other matters that municipalities become involved with.

The letter states:

"Many provincial statutes and decisions directly affect the work of municipalities and their operations. The province currently passes policy statements, usually environmentally related, under the authority of section 3 of the Planning Act, 1983. This is the key provincial 'instrument' passed under the Planning Act. The status"—and this is the concern of the municipalities—"of this instrument must be addressed whether or not the Environmental Bill of Rights principal components are applied to the Planning Act."

Again we're getting into the potential conflict between this bill and other pieces of legislation. I think the drafters of the bill haven't looked at that. We've talked about the potential conflict with the Environmental Assessment Act, and here's another concern with the conflict with respect to the Planning Act. I'm referring to this letter that was written to Mr Shaw by AMO.

"Currently, the province, under various statutes, issues instruments," as indicated in the bill, "(ie, permits, approvals, and licences) which govern the work of

municipalities in the construction of sewers and roads, and the construction and operation of sewage treatment plants."

That's a genuine fear. If someone wants to put a sewer line up the middle of a street, if a municipality wants to do that, can individuals stop that? Under the Environmental Bill of Rights, "any two residents of Ontario who are over 18 years" of age "may request a review of an instrument issued to a municipality. The bill provides the minister with broad discretion to take actions or no action."

Again we're getting into the discretion of the minister, the vague political discretion. Do we have a bill of rights or don't we? What rights do these individuals have and what effect is this going to have on such groups as municipalities?

Because of this broad discretion, "this has the potential of creating uncertainty about municipal instruments, and subsequently uncertainty about municipal operations." AMO gives examples of provincial instruments which affect municipalities: "provincial grants to municipalities; certificates of approval required for extending sewer lines; and subdivision approvals under the Planning Act. Given that there is a relationship between the certificate of approvals and provincial grants, the delays could cause uncertainty and possibly loss of provincial grants."

Two people over the age of 18 years: I understand what the government's trying to do, but these people could potentially create great havoc to the work that a municipality is doing, all at the discretion or non-discretion of the minister.

## 1550

The letter states: "This will have an impact on municipal infrastructure projects which also rely on provincial funding programs and which also will be subject to the components of the Environmental Bill of Rights. The classification of instruments is therefore very critical in determining notice, comment, potential hearing requirements and rights of appeal. A fair assessment will require technical expertise in waste management, water resources and air emissions."

All of these matters, therefore, will have to be clarified by the government at some stage, or the whole operation of municipalities and whatever they're going to be doing can be completely full of havoc, because they won't know what the results of these things are going to be or where they're going to go.

Therefore, "The proposed general definition of 'instruments' is," as AMO has described, "potentially all-encompassing. The huge scope," and I'm quoting, "of 'any document of legal effect issued under an act' appears to be narrowed only by the requirement of a significant effect on the environment or the limited application of section 32. The...committee believes that

clarification is needed on whether or not items such as approvals for onsite waste disposal system issued by the Ministry of Environment and Energy, clearance letters issued by provincial agencies to allow subdivision plans to proceed, permit-by-rule application for recycling facilities, and decisions of tribunals such as the Ontario Municipal Board are considered 'instruments.'"

So the municipalities are quite right in raising these issues. They don't know what they mean and what the effect is going to be on their general operation, whether it be for subdivision applications or whether it be for the construction of sewer lines or whatever municipalities may do, with the potential holdup by two or more individuals, or at least two individuals, who are 18 years of age or older.

Essentially AMO in this letter recommends that "the ministry consult municipalities in order to develop the regulations which will establish the classification scheme for instruments before the bill is passed. Municipalities should have an input in clarifying the definition of instruments and the implications for municipalities." I doubt very much whether that consultation has taken place and look forward to hearing more of it.

This letter, of course, has been probably sent to other members of the House and, if not, it could be made available because it does set forth on an interim basis what the concerns of AMO are to date, although AMO has made it quite clear it has yet to clarify its position on the Environmental Bill of Rights. They have indicated, as have both opposition parties, their general support in principle to an Environmental Bill of Rights, but they, like the two opposition parties, have considerable concerns that should be addressed before we proceed to this bill.

To date, AMO is concerned with the appeals process, the coverage, the environmental registry and public participation. I'm going to read one brief section from their concerns with respect to the environmental registry system that's being proposed under this legislation because it does concern the whole issue of costs.

"Under some provincial legislation, the minister may delegate certain authorities to municipalities. The bill does not indicate whether the requirements that apply to the affected ministries in relation to the cost of operation of the environmental registry would apply to municipalities that have delegated authority from ministries. Municipalities do not have the resources to meet the requirements of the environmental registry."

That's a genuine concern. They're putting the government on notice that if this is going to be passed down to those municipalities, the municipalities because of cutbacks of social contract, because of cutbacks of transfer payments, simply do not have the resources if this is the plan of the government.

"AMO does not support the downloading of the costs

and the operation of the environmental registry to municipalities. AMO recommends that the bill explicitly state that all responsibilities for the cost and operation of the environmental registry rest with the provincial government and not the delegated bodies."

That's been one of the issues that this government has done. They bring forward these things, such as this bill, and then they pass on the administration and the costs to the municipalities. It's another example. I suppose we all want to look good and say we're concerned with environmental issues. The question is, who's going to pay for these things? Who's going to pay for the environmental registry? There are concerns in the municipalities that they are, and they're saying to this government that they don't want that. They don't like that because they simply don't have the money, nor does the property taxpayer of this province.

That issue is going to have to be clarified as this debate goes on, and it may well be that the minister and other members of the government can clarify that, that regulations or something is going to come forward that's going to say that the cost and the operation of the environmental registry, if it does go, will rest with the provincial government. I hope the person who tells us that will also say what that is going to cost. What's the total cost for the database, the total cost for the computers, the total cost for the staffing of it? What is the total cost? That has yet to be revealed.

AMO says, "We are not in favour of a costing structure that would limit access only to those who can afford to pay," so that's a similar concern to the legal community. They're concerned that access to this may only be to those who can afford to pay.

That is another report that I'm sure will be made. AMO and some of the municipalities may be making presentations to the committee as the debate unfolds. I think we should listen to that because, generally speaking, the principle of an Environmental Bill of Rights is a good thing, but I hark back to my original concern in this debate: Are we doing it in the most economical fashion? Are we taking the Cadillac approach to solving a problem? Are there other ways of doing it?

I hope the ministry officials or the representatives, the parliamentary assistant or the minister will be able to tell us exactly what the other alternatives are—because there may be other alternatives; I'm sure there are other alternatives—and whether the government has properly looked at those instead of building up yet another bureaucracy. It is ironic: We're trying to cut back on the Ministry of Environment and Energy on the one hand, and here we are creating more bureaucrats, at least 15 for the commissioner, so the minister says, although it's unlimited by the bill as to who the commission says he or she can appoint.

In summary, the major concerns of the municipalities are the language and the wording. There are two many

grey areas that need to be defined. The one I've spent some time on is that we're uncertain as to what the term "instrument," as defined in the bill, encompasses. The way it is now, it could really have a damaging effect on the operation of the municipalities of this province.

Finally, the provincial Planning Act already has structures for public participation, so a concern exists among the municipalities over a possible duplication of other existing legislation, and that's a valid concern. If we've already got a structure that is trying to deal with these problems, and the example is the Planning Act, why are we creating another bureaucracy? There has been concern over the relationship between the Sewell report and the potential Environmental Bill of Rights. Again, AMO has expressed some concern, as have the Ontario Federation of Agriculture and some of the farmers' groups. They are concerned that they were not directly represented on the task force.

Some of the legal issues that have come forward in terms of the bureaucracy have been reported in the media. Some of you may have looked at the Law Times, which goes out to the legal community. This particular edition is July 19, which is actually full of other interesting environmental issues, but there is one particular article I would recommend you all look at, prepared by Howard Solomon for the Law Times, and it comments on what the government is trying to do with the Environmental Bill of Rights, the various initiatives it's putting forward.

#### 1600

It expresses some compliments on the bill and expresses some downsides of the bill, many of which I've already iterated, the good and the bad points of the bill.

One of the interesting comments was made by an individual by the name of Michael Jeffery, a partner at Fraser and Beatty, the head of the firm's environmental law group. He's one of the counsels who has concerns about the bill. He is quoted in the Law Times as saying:

"I really have concerns about what such a bill will do to the overall efficiency of government. Most of the practitioners in the field now seeking government approvals are running into significant and expensive delays because the province doesn't appear to have sufficient resources in terms of staff to deal with what they've got to regulate now."

That's been a concern with people in the commercial industry, whether it's trying to develop subdivisions or trying to develop any form of industrial development in this province: all the hoops they have to go through in this province. This is yet another hoop those people are going to have to go through. I'm sure the business community, notwithstanding it was well represented on the task force, will have similar concerns about this bill.

Mr Jeffery then goes on in the quotation from the

Law Times to say: "You then impose a bill of rights, which will allow parties to write in to the commissioner and cause investigations to be commenced and answers to be given at set times. And the bill affects a whole number of ministries.... There's a fear out there that many of the problems we see with inefficiency and delay are going to be exacerbated, with staff having to be pulled off various things to comply with these investigations."

Mr Jeffery's concern is there's only so much staff allowed to do things, whether it be in the Ministry of Environment and Energy or any other ministry. They're working on various projects, yet because of these inquiries by members of the public they are going to be taken off those projects and moved to other areas.

I understand what the government's trying to do. Obviously, if there is pollution and concerns about pollution raised by individuals, the difficulty is, do we have the staff and the resources to proceed with those things? Mr Jeffery questions that, and so do I.

Another environmental law specialist, Dianne Saxe, who this article says used to work for the Ministry of Environment, agrees with his comments. She says, "At a time when the ministry's staff is being cut...a new commissioner is being created to watch them." A rather sarcastic comment, but the truth. There is no question that the Ministry of Environment staff is being cut, and here we're having a new commissioner with at least 15 staff, according to the minister, and I expect considerably more, and they're going to watch another group that's being cut by the government—a very strange process. They're going to perhaps be suggesting that the Ministry of Environment, or any other ministry, isn't operating correctly because of the lack of staff they have to operate efficiently. The whole issue is the efficiency of the government.

Ms Saxe continues: "The message they're getting is that there isn't enough money for them to do the job that needs to be done, but there is money to punish them if they don't do it right."

Very interesting and accurate thoughts that I think the committee will have to look at. Are we trying to solve one problem and in effect creating another?

"Saxe predicts that it will be harder to get development approvals and the risk of prosecution for potential polluters will be greater if the legislation passes. Anyone will be able to go to court and ask for judicial intervention for what might be trivial matters, she fears."

She says she's sceptical about the legislation. She says, "I was involved at the beginning of the Ombudsman's office," so this is someone who's seen the creation of one bureaucracy and the hopes and aspirations that the new Office of the Ombudsman would put forward. She says: "We were all terribly optimistic we

could make the world a better place. Can you find anyone who still thinks that?"

That gets back to my very first comment. I congratulate the government for coming forward with the principle of the bill of rights, but are we building up a false sense of security, a false sense of expectation? Ms Saxe is one, and I am another, who says we are, and she has given the example of the Ombudsman and the expectations that were expected in that office.

Another solicitor commented in this article, a Hamilton solicitor, Herman Turkstra, who "says he admires the environmental bill of rights adopted a decade ago by the state of Michigan, a one-page document he describes as 'reasonably clear' that has the advantages of brevity and a track record." I've tried to find that, and I don't know whether the government officials can help me. I was given a document from the executive library that was indeed one page that came from Michigan and it is very brief and very concise.

He's saying the whole process is too complicated, that we're creating a complicated bureaucracy, a complicated bill with vague definitions. In other words, he's essentially repeating what the legal community has said, what AMO has said and what the agricultural community has said. If Michigan has a process that is indeed effective, perhaps someone who has studied this longer than I can provide this to me, but at this stage those are Mr Turkstra's comments, and he may well be correct.

I've only got a few minutes left, and I guess I get back to my initial criticisms. We're going to have an expensive computer system with the environmental registry system. We're going to have a new bureaucracy of the commissioner's office. We're going to require more bureaucrats to work in the various ministries to answer many questions that are going to be raised by members of the public. We have no idea what this is going to cost. We have no idea what it's going to cost the deficit of this government. The only figure we have received is an estimate that over the first four years it's going to cost \$4 million. I suspect it's going to cost substantially more than that when you look at all of the things that are required by this bill.

But that will be revealed. Either the government knows what it's doing or it doesn't know what it's doing, and we'll find that out as the committee stage goes on. They either know what it's going to cost or they don't know what it's going to cost. If they don't know, I would submit that they're irresponsible in proceeding with a brand-new bureaucracy having no idea what it's going to cost and the effect not only on the provincial taxpayer but the property taxpayer, because some of these costs I fear will be passed down to the municipalities.

The government will need to clarify some of its positions as to why this bill doesn't apply to other things. The former Minister of the Environment is in the

House today. I must confess, on the subject of dumps in this province, whether it be the GTA or otherwise, it appears that this bill of rights will not apply to the farmer who is concerned about dumps in his or her riding and the effect on the water, the effect perhaps on the Niagara Escarpment or other ecological effects, or with respect to heritage farms. It's not going to apply to that. Now, the former minister of course will stand up and say, "The Interim Waste Authority is going to solve all that." That will get into a whole new debate, because I submit it is not.

There are a lot of unsatisfied people in this province. Either we're going to have a bill of rights that's going to protect our environment or we're not. Why would we have exceptions to the rule? It appears that hydro corridors and dumps in GTA areas are exceptions to the rule, and there may be others that I haven't mentioned. That is a very strange philosophy, that the government will allow certain things to be done in its discretion and that it cannot be challenged by individuals, yet the government is now saying, "Here's a bill of rights that will satisfy them."

For example, the issue was raised by one of the other speakers, the whole topic of the Britannia lifts. There are two women who visited my office several weeks ago who live in that area and were told that the Britannia site would close. In fact, there was a clause put on their title that said that while this whole process was taking place they wouldn't complain, and they haven't complained. The time frame expired, and the former Minister of the Environment in her wisdom decided to expand the Britannia site for a considerable period, but they do not seem to have the right to complain under the Environmental Bill of Rights.

#### 1610

For some things individuals can complain, but for other things they cannot complain. All of these issues, it may well be, the government will explain. They seem to want public input, to give people individual rights to complain about government actions or actions that are taken by large corporations, but for certain things with respect to the government, they can't complain. Quite respectfully, I say to the minister, you can't simply come and say that their rights are already protected. If you're going to say that, we already have an Environmental Protection Act, we already have legislation in this place that supposedly protects the individual, so therefore we're going to put forward an Environmental Bill of Rights that's going to give more rights.

It's all very confusing, and I look forward to members of the government clarifying their position on what the actual rights are of individuals in this province and certainly clarifying what it's going to cost the taxpayer of this province.

**Mr Wayne Lessard (Windsor-Walkerville):** My friend the member for Dufferin-Peel made several

comments in his remarks about the Environmental Bill of Rights and referred to an article that was in the Law Times.

One of the other comments that was received in that article was from a lawyer named Michael Cochrane, who was the chair of the task force that drafted the legislation. In that article he states that he doubts the legislation is going to lead to increased litigation and says that there are lots of existing causes of action for damage to private property and also mentions that he doesn't think there's going to be a high volume of litigation around protection of public resources or the use of public nuisance rights. He refers as well to the provincial class action rights that our government also introduced that haven't led to an increased amount of litigation.

I just wanted to point out that the article does go further, in its comments from persons who were involved, than my friend indicated.

He also referred to the bill of rights that was passed in the state of Michigan about a decade ago. I wish we could do something as simple as a one-page act here in Ontario. However, I think that life itself has become a bit more complicated. I should point out that being a neighbour of the state of Michigan, within that decade we've also seen the construction in downtown Detroit of an incinerator that's caused a great deal of problems and led to the province of Ontario commencing legal action against the city of Detroit to try and clean up that incinerator. We've had incidents of major environmental impact taking place notwithstanding the state of Michigan having that environmental bill of rights.

**Mr David Johnson (Don Mills):** I would like to compliment the member for Dufferin-Peel for a very thoughtful analysis of the Environmental Bill of Rights. I think he's raised a number of excellent issues. The one I would like to comment on in particular, and perhaps fortify or strengthen his remarks, concerns the cost of this program and concerns the ability, particularly in the Ministry of Environment and Energy, to staff the extra duties that would be placed as a result of this Environmental Bill of Rights.

I give one example, and that concerns the planning process in the province of Ontario. There is a real problem there in that if you talk to planners across the province of Ontario, one of the main problems they face is the length of time that the process consumes: the process of receiving a development application, an application that could create jobs, that could create wealth in the province of Ontario. There's a process to go through, and it's a healthy process, that involves getting the concerns and comments from a number of agencies.

Some proposals would involve perhaps two dozen agencies that would comment. One of those agencies, of course, is the Ministry of Environment. There's a

common perception among the planners in the province of Ontario that this duty is a very low priority within the Ministry of Environment, and consequently it takes a good six months to get comments on any significant planning issue in the province of Ontario with the staff that's in place already and with the duties that the Ministry of Environment has on its plate. By adding any extra duties on top, surely that process will be lengthened. I think this is the kind of issue that the member for Dufferin-Peel is raising, that it's just adding more to an already full plate. Is this the best way to do it?

**Mr Klopp:** I listened with interest to the member for Dufferin-Peel and I can only assume that maybe he's getting a lot of his information based on articles in the paper rather than doing some real digging, and that's understandable. Today I was reading an article about the farm-type bill and about EBR, and here it had a quote from the minister and it was Ruth Grier. Ruth Grier hasn't been the minister since February, so it makes you wonder just what is going on out there in the community.

The fact is that the OFA and many farm organizations under an umbrella group have worked hard and long on these negotiations and they're quite pleased. Dona Stewardson, who has been their lead in this and who has talked to me and talked to the Minister of Environment, has been quite happy that this government, as a government, has listened to what the farm community has wanted.

In fact, I find the Tories amazing. I remember them in this House for the last three or four years lambasting us that we haven't moved fast enough on an environmental bill, and yet at the same time the people in the real world have said: "No, we do want an environmental bill, but it has to be done right and it takes time." I'm glad that we have walked through this.

So I find it amazing that the third party goes from one side to other on this issue, but it's typical; it's opposition tactics. They're a party which has friends that go with the old system: "We can pollute because we'll take the money and run, and now, goldarnit, there's a government that actually wants to have us all in this boat together to pay for the environmental costs and to not pollute more." So that's what we're doing.

In the farm community they understand very clearly that this is a fair bill. Dona Stewardson is on record on that. There are a couple of points I heard that I'd like to clarify: "Land owned by a farmer is not public land. Public land that is leased to a farmer is excluded from the right to supervision." Indeed, it's quite clear that farmers will be given the protection under the Farm Practices Protection Act, and that has been quite clearly pointed out.

**The Deputy Speaker:** Any further questions or comments?

**Mr Charles Beer (York North):** It seems to me that our colleague, in his remarks this afternoon and starting yesterday, raised a number of very valid questions which do need to be raised around the cost of implementing this bill and how it is going to be organized, questions that speak very fundamentally to how this will work in the real world.

One of the problems in modern government today, whether it's this province, in Ottawa or indeed in other jurisdictions, is that we create a number of bodies that are intended to provide individuals with rights.

Here in Ontario, for example, there was a time when we had the Ontario Human Rights Commission, and that was the one body that dealt with the whole range of rights. Today, we have a series of organizations, and I think there's a legitimate question to ask: Do those various bodies always protect the kinds of rights that at the beginning we intended they protect? What we have to be very clear on with this bill, I think, is not to raise expectations to a point where they can't be met.

Very legitimately, what is the bureaucracy that is going to be required in order to run this? How is it going to interact with the minister of the day? What are the powers of the minister? What real rights will this give to individuals, and will they be able to move on a whole range of issue areas? All of those I think are very legitimate questions that need to be discussed here, that were raised by our colleague from Dufferin-Peel and that are going to need to be followed up in committee, because without those answers, we can't be sure that this bill, with all of the fine words, is in fact going to do what it says it's going to do.

**1620**

**The Deputy Speaker:** The member for Dufferin-Peel, you have two minutes to reply.

**Mr Tilson:** I thank all members for commenting on my remarks to this House. The member for Windsor-Walkerville, you're quite right that there are solicitors, particularly Mr Cochrane who chaired the task force—he's not going to criticize his own task force. I guess it's quite clear, however, that the legal community is concerned, as is AMO, as are the municipalities, with many of the vague expressions that are being put forward in this bill, and common sense tells me that's going to lead to litigation. I hope Mr Cochrane is correct. All I know is that when you have definitions that not just one organization—the municipalities, the agricultural community or the legal community—doesn't understand, it may take a judge to answer them, and that's really the issue that I'm simply saying.

There is no simple solution to these problems. You seem to misunderstand what I'm saying. If you listen to me, I'm supporting an Environmental Bill of Rights. All I'm concerned with is that you're creating a whole new expensive bureaucracy, and is this the proper way to go about it?

The member for Don Mills raised a legitimate question which I put forward in my remarks and emphasized—at least, a comment that was made in my remarks—that the complication of development that developers have to go through in this province, who create jobs, which we're all concerned about, is bad enough. This is going to be one more element, one more bureaucracy, that developers are going to have to go through in this province. So I thank the member for Don Mills.

The member for Huron—other than to say I'm on your side. I want an Environmental Bill of Rights as well and all I can tell you, my staff has personally spoken to some of the agricultural groups I've mentioned and they've expressed a concern that they weren't part of the process and they're concerned with the effects this legislation is going to have on the agricultural community.

The member for York North, I think, summed it up: Are we in fact creating an expensive bureaucracy that may not solve the problems?

**The Deputy Speaker:** Any further debate? Minister?

**Hon Ruth Grier (Minister of Health):** I'm delighted to have an opportunity to participate in this second reading debate and to congratulate the Minister of Environment and Energy on bringing forward this bill. I'm delighted to hear that there is support for the legislation on all sides of the House, because I think that's as it should be and will certainly lead to a more meaningful debate about whether the objectives of the bill are met by the bill, if there is not any great debate or dissension about the principles enshrined in the bill.

I join in this debate with a great deal of pride: pride not only because of my own long involvement with this particular piece of legislation, but pride on behalf of all of those others who have also been involved in struggling to have an Environmental Bill of Rights in the province of Ontario, people on both sides of this House, going back to colleagues who are no longer with us, colleagues such as the member for Huron, who introduced an environmental bill of rights into this House the first session that I was here in 1985.

I'm very proud that the current Minister of Environment has completed the work that was begun by his predecessors and has brought forward this piece of legislation in the form that it is. I'm proud because the bill represents the end of a long debate among the public, particularly among environmental groups, who for years have believed that the public ought to have a greater role in the decisions that affect them, that the public should have enshrined in legislation environmental rights.

There are many members of the public who, in struggling to increase our awareness around this province about the effect of our decisions on the environ-

ment; who, in struggling to find a role for themselves in the decision-making processes at all levels, have taken risks. There are people who have risked their jobs by blowing the whistle on their employer and who have suffered in some cases as a result and who now see in this legislation a justification, a vindication, of their actions, and I take some pride in that.

I take pride in the work the public service has done in working to produce a very complicated piece of legislation. When I first entered the Ministry of the Environment almost three years ago to the day, the deputy of the day, Gary Posen, said in my very first meeting, "And you will of course want to bring forward an environmental bill of rights." The employees in that ministry have worked very hard ever since to complete the work that was required to produce an environmental bill of rights and I take pride in that service by the public service in doing that.

Particularly I take pride in the work of the task force, a task force of very different people of very different backgrounds who came together, some with enthusiasm and a history of knowing what was in place in other jurisdictions, of having worked with me in opposition in drafting an environmental bill of rights, and some with an enormous degree of scepticism, because—and I speak of some of the industry representatives on that task force—they didn't think a bill of rights was required. They thought, as some members of the opposition have described today, that it would be just another layer of bureaucracy. They didn't really believe that it would be possible to arrive at a consensus about what an environmental bill of rights should contain. Their creativity, their hard work and their incredible dedication and commitment to the documents and to the work that they did is something in which all of us, I think, should take pride, because it shows that if you approach things with an open mind and if you bring people together and assign them the responsibility of creating something that is in the best interests of the public at large when you have clearly defined what those best interests are, then marvels are produced. I think this bill will be seen in time and in the future to be a marvel of creativity and innovation and I take pride in that.

I take enormous pride that this government, in the toughest economic times of the last 40 years, is living up to its commitment to protect the environment and to do it in a way that gives the people of this province a meaningful role in helping us not only manage the present in a better way than it has been managed in the past but to plan for the future, because if ever there was an area where we need to plan for the future as well as deal with the issues of the past, it is in the environment. So our government, as it struggles to create jobs, is looking to the future. As I wrestle with the reform and the sustainability of our health care system, we do it to have a better system for the present but to ensure that

we have one for the future, and particularly in the case of the environment we are looking to future generations.

I take pride that this government not only is prepared to give this bill the priority that it has but is also prepared to take the risks involved in putting forward and in passing a piece of legislation of this magnitude. We take the risk that past decisions will be reviewed, impartially and publicly. Some of the decisions that we have taken people don't like. I don't believe there will ever be a government all of whose decisions are popular, regardless of what legislation or mechanisms we put in place. We take the risk of subjecting our actions and those of future governments to a scrutiny that no other government has ever been prepared to submit itself to, the scrutiny of the public in a way that is unheard of in any other jurisdiction in this country and the scrutiny of an independent commissioner responsible to this Legislature who can review and independently audit, comment upon, criticize the government of the day.

Why are we doing that? We're doing it because we believe that protection of the environment is critical, that we will not have a healthy economy, let alone a healthy population, if we don't have a healthy environment, and that is why we have taken the ground-breaking actions that we have in dealing with environmental issues: ground-breaking with respect to garbage—and I heard a lot of debate yesterday about garbage. Our government has put the 3Rs first and has done it not only in words but by putting into place the structures and the mechanisms that make the 3Rs a reality from one end of this province to another, and we have done it by putting money into waste reduction, which no other government has been prepared to do. We have banned incineration, something that both contributes to the 3Rs and contributes to the reduction of toxins in our environment.

When it comes to land use, the work of the Sewell commission, the work of the office of the GTA in trying to plan for the future in this area, the work in Natural Resources in protecting the Oak Ridges moraine, the Rouge Valley, the Niagara Escarpment Commission, in factoring into land use decisions an ecosystem approach, such as the Crombie commission and the waterfront trust have done: a ground-breaking protection of the environment.

#### 1630

We have done it with respect to reducing the load of toxics with which our bodies are bombarded daily. Through clean water regulations, through pollution prevention programs, through the reduction in our use of energy, we are moving this province towards sustainable development and a sustainable future. This piece of legislation is a critical component of doing that.

Because as well as the population of this province wanting a clean environment and wanting it despite tough economic times, because their interest in the

environment has not diminished, the people of this province want finally to be truly involved in the decisions that involve them, to be involved in more than open houses where information is shared with them, to be involved in a way that is more than commenting on decisions that are already made, but in a way where they can make a meaningful contribution.

If they are to make a meaningful contribution, that means having access to information. One of the key components of the Environmental Bill of Rights is in giving people information in a way that is simple to access, simple to understand and early enough in the decision-making process that they can use it to influence that process.

It's a different way of decision-making. Not only is it informed decision-making, but it is an attempt to move away from the kind of confrontational, partisan decision-making that has not protected the environment. Despite the very excellent legislation in this province passed by previous governments in advance of other provinces and jurisdictions, we still have environmental problems.

One of the things that emerged to me most clearly when I chaired the Ontario Round Table on Environment and Economy was the need to think about a different way of making decisions, a consensual way of decision-making, something that is foreign to this particular forum because it is neither designed, nor created nor functions in a way that leads to development of a consensus. I think that's something that, quite frankly, legislatures in the future are going to have to look at. I don't at this point know what the result will be, but I'm coming more and more to the conclusion that we are old-fashioned and outmoded, and perhaps after we have the bill of rights in place we have to look at how we change our entire way of decision-making.

The Ontario Round Table on Environment and Economy, as one of the criteria for sustainable development, pointed out the need for both informed decision-making and a greater use of alternative dispute resolution consensus-building if we are to make decisions that truly protect the environment. I think the manner in which the Environmental Bill of Rights was developed points to the success of doing things differently, and that was the work of the task force that I referred to earlier.

The Environmental Bill of Rights is unique not only in the way in which it was developed, but also of course in what it attempts to do, because it is unique and because it is different, something that grows out of our tradition and our experience here in the province of Ontario and is not borrowed from some other jurisdiction, despite the fact that the work and the experience in Michigan was certainly something that was looked at both by the ministry and by myself.

It is unique because it requires us to engage in a new

way of thinking. It goes beyond environmental protection, as it does currently under the Environmental Assessment Act and the Environmental Protection Act, to take us towards truly finding ways to anticipate and prevent problems before they occur.

No other jurisdiction has asked every ministry to develop a statement of environmental values. We have, through the work of the Premier's Council, statements of the mission and values of the Ministry of Health that involve recognition of the fact that you're not going to have a healthy population without a healthy environment.

Goal 3 of the Premier's Council's work was to create a healthy environment. That in itself is a first. This legislation goes beyond that and requires a variety of ministries which have not historically seen protection of the environment or environmental values as part of either their mission or their mandate to develop that statement of environmental values. It will be interesting to review those statements when they are done, and the fact that they are going to be done will I think produce a significant shift in thinking and approach throughout the government.

I have always said, as have other members of our government, that one of our objectives was to make sure that it was not only the Ministry of Environment and Energy that had a responsibility for the environment, that it had to be Municipal Affairs, Labour, Health, Culture, all of the other ministries, and I think by our actions we have shown how that can be true.

This debate at second reading is a debate on the principles of the legislation. I think the member for York North, as he so often does, hit the nail on the head when he said we have to look at the instruments enshrined in the bill of rights and see whether they in fact do the job we expect them to do in order to achieve the principles we all want to achieve, the principles that the people of this province have the right to a healthy environment and the right to protect that environment, that they have the right to information, that they have the right to be heard, that they have the right to take action and the right to make a difference.

I was disappointed yesterday that in some of his comments the member for Mississauga North contributed merely a litany of grievances about past actions with which he disagreed. I would point out to him that I know he and the people in the constituencies of some of the members present here today will never agree with the decisions this government took with respect to the disposal of waste for the GTA. Nor will members in your constituency, I suspect, Mr Speaker, agree when a decision is or will be made about where a waste management site should be sited in your particular community. That is too much to expect. But I do ask the members opposite to reflect on the way in which those kinds of decisions were made by their government and to

compare the processes and see if in fact what they've been saying here today stands up.

The member for Dufferin-Peel read a number of comments from those who had participated or not participated in the work of the task force. I would ask him to look objectively at the actual wording in the bill, because I hope he will find that many of the comments that were made in response to the initial draft of the legislation were in fact taken very seriously by the task force, and so some changes have been incorporated into the legislation that is Bill 26.

That was precisely how the work developing this bill proceeded, which was debate, consultation, response. I hope that as we go through this process and get to committee, that will be the process that is followed, because this is not the end of it by any means and there may well be better mechanisms or improved mechanisms that can come into place.

What we're here to discuss at second reading is whether we agree with the principles, the principles of participation and information, of accountability, of holding government with the primary responsibility for protecting the environment and for giving people better tools to hold government accountable. Has the bill got it right? Are there better tools? Are there better ways of using the tools that are spelled out in the legislation? We want to give the right to whistle-blowers. Is the protection that is built into the legislation sufficient or is there perhaps more protection that needs to be done? That is the kind of debate I hope we will have, both here and in committee.

The objective is not only to enshrine in legislation the principles I've referred to; the objective is to engage the people of this province not as people whom we confront and with whom we have long hearings that go on for ever and create more bureaucracy, but to engage them as our allies in a struggle, not only to clean up the mistakes we've made in the past but to make sure we don't make mistakes in the future, to engage them as meaningful participants in the decisions that affect them, and to engage them in a way that makes them feel that it is not them against the government, but that the government and they share a common objective, that objective of protecting our environment and passing it on to future generations.

This is the most significant piece of environmental legislation introduced into this Legislature over the past 17 years. It is a piece of legislation about which we can all, because I believe it will ultimately have the support on all sides of this House, stand very tall and very proud when we talk about it to the future generations that we're sent here to preserve and to protect.

1640

**The Acting Speaker (Mr Noble Villeneuve):** Thank you. Questions and/or comments?

**Mr Tilson:** I'd like to take this opportunity to thank the member for Etobicoke-Lakeshore for her initiative, albeit three years late, in initiating this legislation. I know it was introduced by Mr Wildman, but certainly she had a major role in it. I am relieved, of course, that her initial Bill 12, which I'm sure she's proud of but which I am not exactly a great fan of, wasn't the bill, and I will congratulate you on bringing together the business community and the environmentalists in coming to some consensus with respect to the task force.

I had hoped that in your capacity as a former minister you would have been able to advise this House, and maybe you will in your response here at some later date tell us, what the cost of all this is going to be and the real issue: the number of bureaucrats that are going to effect this all over. Why doesn't the bill of rights apply to everything: Hydro, IWA, other such areas? Why is it only for some things? Why is the discretion of the minister so broad, to not allow some things and allow others?

I'll be interested in hearing your assurances that the commissioner who will be appointed, he or she, will be independent and not the political hack many of us fear it will be with respect to this legislation.

Again, you've referred to your issues that you've raised in the GTA. Why haven't you looked at all of the other alternatives, the long rail haul? Why haven't you allowed the subject of incineration to be debated? These are questions that individuals in this province have asked. Why, for example, does someone who works in the GTA and lives outside and creates garbage—it's a problem of all of us. Why were you so restrictive as the minister? I congratulate you on the one hand, but I think that as the former minister you have many answers to give to the questions that are being asked by the people of this province.

**The Acting Speaker:** Thank you. Further questions and/or comments?

**Mr Drummond White (Durham Centre):** I'd like to commend and thank the Minister of Health for continuing through with her long-term commitment to environmental issues and for this really signatory piece that she certainly introduced the process for; a process we can all be proud of, a process that involved people from throughout our province in a collaborative act and a collaborative work.

This is legislation which will protect our fragile environment here in the greater Toronto area, in Durham where I come from, and certainly throughout this large and beautiful area. It is a good counterpart with the municipal waste management bill and with Bill 143, that deals with garbage in the GTA. It informs the public about how to manage the environment, how to manage our environment for our children's future. It is legislation which empowers people, which gives them

rights, rights to protect and to work through the husbandry, the stewardship that is so important to our area and our feeling of involvement.

The minister has for many years been involved with the environmental movement and I think has tremendous support throughout this province. It was stirring to be able to listen to her and see this fulfilment of her long-term dedication and action and to see that in work throughout this area.

**The Acting Speaker:** Further questions or comments?

**Mr Sean G. Conway (Renfrew North):** I listened carefully to the minister's remarks, and like the member from Durham I too was stirred, but perhaps for different reasons. I'm very pleased to know that by virtue of this executive and legislative fiat, the Roman Curia and the Southern Baptist Convention will now come together for ever and for all time in a theological oneness in these matters of environmental policy and process.

**The Acting Speaker:** Further questions or comments? One final participant.

**Mr Stockwell:** Clearly I'm left out, because I wasn't stirred at all.

I would like to review the past legislation that was introduced when this government was the opposition party and the Minister of Health was the critic for Environment. In a document which is not often referred to in this House, not that surprisingly, really, the Agenda for People, they spoke about the rights to a clean environment and the passage of an Environmental Bill of Rights immediately—three years being immediate to this government. I suppose time is relative.

"The NDP's environmental bill of rights has been before the Legislature since 1986. Three times the Liberals have approved it in principle and three times they have refused to let the bill become law in Ontario."

I don't think even the Minister of Health herself would suggest for a moment that the relationship between the piece of legislation you introduced in opposition and this piece of legislation are that closely tied. Clearly, they are very, very different. I will add that it doesn't surprise me. The legislation offered up in opposition I think was unworkable, unmanageable and simply a political tool, much like this Agenda for People was, as we've seen in the three short years this government has been in power.

I don't necessarily believe that we need an Environmental Bill of Rights. I think we can tighten up the environmental bills and legislation and programs we have in place today. I think those things need to be streamlined. It could be cost-effective if they did do that. I think the environment is protected with those pieces of legislation that are in place today. The problem is that they've become so onerous, they've become so time-consuming, they've become such a political

football in practically every issue that comes before this Legislature and every council around this province that they now will be usurped in some instances by this Environmental Bill of Rights when it would be much simpler to simply apply what that original environmental bill was intended to do, which is to maintain a safe and clean environment, which I don't think a number of governments did in the past number of years.

**The Acting Speaker:** This completes questions and/or comments. The honourable Minister of Health has two minutes in response.

**Hon Mrs Grier:** Let me thank my colleagues for their comments. I'd like to respond specifically to those of the member for Dufferin-Peel and say to him that the costs of implementing this legislation will to a large extent depend on precisely the extent of the coverage that is part of the legislation.

When he says, "Why doesn't it cover beyond?" I am sure the minister will welcome amendments that would expand the coverage. I would say to him that if you embark upon a process of consensus, then you come up with a product that is in fact a consensus. I suspect that around the table developing the bill of rights there may have been those who started saying, "Cover everything," to those who said, "Why are we doing this in the first place?" What we have is a consensus that everyone can live with.

He says he wants answers from me on actions I took as Minister of the Environment. Let me say to him, I have provided those answers time and time and time again. He doesn't like the answers and neither do his constituents and neither do the constituents of some other members of this House, but there is one thing I have never lacked, and that is the ability to answer the questions about my own actions when they are put to me. Having said that, just providing an answer doesn't mean that anybody is going to agree that it is in fact the correct answer.

The member for Renfrew North, with his theological analogy and cynical dismissal of something that I believe is very important to the people of this province and that I believe ultimately will be supported by people on all sides of this House, will get no response from me. Thank you very much.

**Mr Beer:** I'm pleased to have an opportunity to rise and speak in this debate. As has been mentioned by a number of members including the former minister, this has been a long process. I can recall, for example, working on an Environmental Bill of Rights something in the order of 15 years ago when Stuart Smith was the Liberal leader, the Leader of the Opposition. There were a number of people, and it's interesting to see where some of the ones who worked with us on that went. I want to mention three of them: Adele Hurley, who subsequently became one of the leaders of the anti-acid-rain movement and was fundamental in bringing a great

deal of change in the way North America dealt with that issue; and Mark Rudolph and Gary Gallon, both of whom worked with Jim Bradley, the Minister of the Environment under the Liberals, and who were very involved in trying to define the kinds of principles that we would want to have in that bill.

1650

I say that in recognizing that members from the Conservative Party, members from the New Democratic Party and members from the Liberal Party have been at work at trying to define an environmental bill of rights that would be meaningful, that would be practical, that would be doable but that would move us forward. I think in that we can join in saying that what we're about is worthy and is something that we want to make as good as we possibly can.

I want to say, therefore, that in terms of the principles I don't think there's any fundamental disagreement, or indeed any disagreement, in this House.

I want to raise two issues around this particular bill. The first I alluded to earlier in commenting on the remarks of our colleague from Dufferin-Peel, and that is that if you look back over the last 10 or 15 years, this legislative body, as well as many others, has sought to define a variety of rights to create some form of administrative tribunal or body or organization that will then implement those rights and provide a means for redress to various people.

We see the Human Rights Commission, the Ombudsman, pay equity, employment equity, a variety of groups that exist in departments such as Health, all where I don't think there would be any disagreement around the principles involved, but when we look at how well we have ensured that those rights or entitlements have been met, we can't always be comforted by what has happened.

We only have to look at the problems that both the Human Rights Commission and the Office of the Ombudsman have had to see that some of the problems with implementing bills of this nature are very much how we go about implementing, what the structure is that we put in place, and trying to remember that the people for whom this is being done, in our view—the people of the province—can then look at not only the principles but the way in which we go about implementing those rights as something that is credible, that is something that makes sense, that meets the consensus. The former minister talked about consensual decision-making, and holding that out is something important that we should try to strive for. I think we would all recognize that.

But let's be very clear that part of the tremendous frustration that is out there in the body politic today—we saw it in 1990; perhaps we in the Liberal Party saw it more than others did, but none the less, we saw that frustration there, it is still there, and any of us who have

been going out and knocking on doors or talking to people in the present federal campaign, I think, see that as well—that fundamental distrust of government—and perhaps, in part because over the decade we've now had Conservatives, Liberals and New Democrats as the government in this province, a certain sense of "We don't know if we trust any of you."

Part of that, then, I think, we have to take that message and go back and look at, in the case of this bill—we agree on the principles, we look at the way in which the bill came forward. The minister has commented on the task force, as have the two opposition critics, as having been a very useful exercise and one that sought to bring all the components of our society together. All of that is good, but we will lose all of the support for that if we don't set up something that is going to be transparent, that is going to work well.

If there's a sense, whether among environmental activists or developers or just common, ordinary citizens of this province, that all we have done is just add another layer of something—bureaucracy; whatever you want to call it—that is only going to serve to underline that feeling out there among so many people that somehow government, at the turn of the century, at the end of this century, is no longer really capable or able to respond to the needs of people but seems to build upon itself and create evermore mechanisms, bodies, organizations, whatever, that are supposed to be there to help individual citizens but in the end become more of a hindrance than a help.

As we go through the bill in committee and as we listen to what undoubtedly are concerns and questions that are brought by a number of representatives who have come before the committee and indeed comments that have been made by members in this debate, let's keep telling ourselves and reminding ourselves that we need to put something together here that will work and will not only be but be seen to be something that will defend the environment and be effective and doable.

Having said that, I think the other thing we have to do in looking at this bill is to recognize that there really are some counterpoints that we're involved with right now that raise questions about the role of this bill, and whether in fact talking about environmental rights really means anything.

The former minister said that in her view, and I understand why she said it, this is the most significant environmental bill probably in the last 18, 20 years, something of that nature. One could make a case that Bill 143 is the most significant, and for very different reasons. I think we have to raise that in the context of what it is that we're trying to do, because as somebody who comes from an area of this province where Bill 143 is not seen as something that has provided us with a fair and just process, there is a real conflict between the words of the Environmental Bill of Rights of Bill 26

and some of the things that are being done under the direction of Bill 143.

You can't just answer that by saying, "You Liberals" or "you Tories when you were in government, you had a worse process." That may be a legitimate point of discussion, and indeed perhaps at some point we need to look very effectively at that, and perhaps one can make the point in terms of just what kind of process, if any. All of that I accept as a legitimate part of the discussion, but I think that's not relevant then to the process that Bill 143 put in place, to what it did to individual rights that are being discussed here in the Environmental Bill of Rights, and what this bill will mean for those people who are being most directly affected by what in fact Bill 143 is bringing about.

Let's just remember that if the Environmental Bill of Rights seeks, among other things, to ensure that individuals in this province can really go after a variety of things that have been done or things that they want to see done in order to protect the environment, Bill 143 in many respects moves in another direction.

One of the things that I've been interested in, in looking at the bill, is, if that bill had been in place, what would that have meant in terms of the way the whole issue around Bill 143, the megadumps that are being created in York region for York and Metropolitan Toronto, and the megadumps in Peel and in Durham? How would that have been affected?

In Bill 26, there are two sections that I think are important here and that we want to note. Those are sections 67 and 68. I want to just read briefly from those sections.

In subsection 67(1) it states, "The minister shall consider each application for review," in other words, environmental review, "in a preliminary way to determine whether the public interest warrants a review in his or her ministry of matters raised in the application."

That section goes on to set out a series of considerations that the minister must make.

Then in section 68 it says: "For the purposes of subsection 67(1), a minister shall not determine that the public interest warrants a review of a decision made during the five years preceding the date of the application for review."

This gives to the minister of the day a considerable power and considerable room to really do whatever he or she wants to do. In the case of Bill 143, in the case of where these megadumps are going to go, anything that would happen at this point, the minister could dismiss simply by saying: "We've not finished the five-year period, so that doesn't need to be examined, that doesn't need to be reviewed."

**1700**

I think there's a real problem with that when people, whether they're from the Maple area or whether they're

from Georgina or from Markham, or indeed any of the other areas that were under consideration for a megadump, say: "What then does this bill provide me with when I believe that arbitrarily Bill 143 has simply said there will be a large dump, a megadump, placed in my community, and on that issue there is no discussion? I have no way of saying whether that should or should not happen."

The only issue that the government is allowing to have discussed right now is which site will be selected. The citizen has no input other than to say: "Not my site. If you're going to put it somewhere, put it elsewhere." I don't think that when you begin the process with no choice, you can really argue that there are any rights at play here. There really are none.

If we look at what we would do in using the bill of rights to try to develop a process that would recognize those rights and in effect ensure that individuals had a real say in whether there ought to be megadumps or any other kind of process to get rid of waste, I think we have to really break out of, quite frankly, the process that we were following before and the one that the present government is following, because I think that the word would be—I hope that when it's over the government will talk with a lot of the people who've been involved with the IWA process.

This isn't to say that all the individuals on the government side or in the IWA are inherently bad; it's not that at all. It is the process that has been set up where individual citizens from the different parts of York and Durham and Peel are being asked, if you like, to deal with the selection of a megadump site which they say should never be happening in the first place and they have no way of affecting that fundamental decision. I think that to speak of an Environmental Bill of Rights and how it affects them is really to be talking in words that have no meaning.

As far as I can see, and during the hearings I may be shown to be wrong, the Environmental Bill of Rights proposed by the minister would not make any difference to what has happened with Bill 143. In fact, I would assume that had this Environmental Bill of Rights been in place and then Bill 143 had been brought forward, there would have been an article in Bill 143 that said it took precedence over the Environmental Bill of Rights, because the two cannot live together. When you read the two of them, they come from two quite distinct polar opposites, and I think we have to recognize that when we look at it.

That's not to say that the words and music, if you like, in the Environmental Bill of Rights don't have a lot of things that a lot of us can agree with, but what we have to say is, when we apply that to the real world, what kind of differences will it make? What does that really mean? Certainly, to the people living in the communities I'm familiar with, in Georgina and in King

township and in Vaughan, it makes no difference whatsoever.

Frankly, it's very disturbing to understand in terms of the anger and the frustration that people feel in those communities, where they're actually talking about civil disobedience and what they're going to do if their particular area is selected. I don't think that can make anybody feel very comfortable, but what it really says, and in the context of this debate what it says, is that the process the government developed under Bill 143 was not one that was fair, because it was dictating a solution and only giving people a part in the decision in terms of where that site would be selected. We've got to find another approach.

Two or three weeks ago in King City there was a meeting held where a number of the groups that were opposed to the megadumps in York region were saying, "Look, we want to start talking about another process, because it seems to me that given the time frame we're in, the government is not going to reach the point before the next election where it's going to have a dump in place." I think all of us have to then say: "All right. What is it we're going to do? What kind of process are we going to replace it with?"

Now's the time to start doing that, and what you'll find, Mr Speaker, and what the government members would find if they went out and talked with these groups is that they want to sit down now, talking about a much more open process that will allow a municipality to say, "We're prepared to talk about having a dump site in our community, but we want to be part of defining the terms of that, and if at any point in the discussion we feel we're being dealt with in a dictatorial way, we're going to pull out."

The speaker at this particular meeting was someone who's worked on a number of major environmental conflicts around the world and he said that on the basis of his experience, any time a government was dictating the solution, even if it was allowing discussion around certain aspects of the site, that wouldn't work. People feel that their rights are being infringed and that we just simply have to find other solutions. There were a number of examples that were given, and I understand that this gentleman's comments are being made available to the government. I hope they'll have a look at them.

I think that if you walk, as the saying goes, in the shoes of people around the various proposed dump sites in Durham and in York and in Peel, what they're saying right now is that they don't believe they have any rights in terms of the final decision that is going to be made around the dump site, and that the Environmental Bill of Rights proposed in this Legislature, while it may provide redress for a number of grievances and may over time turn out to be an effective tool, does not provide any protection to the people in those commun-

ties, neither now, or once it's passed and proclaimed, nor in the future, that the kind of issue we're grappling with in terms of waste disposal is not really dealt with in an appropriate way by the Environmental Bill of Rights.

As I said at the outset, there is a lot that is good in terms of the way this bill has come forward. The principles are sound. There is much there that I think all of us can join in supporting. But I would repeat that I think we have to look very carefully at the structure we put in place in order to implement it, the costs of that structure, and I think it raises a great number of questions when it's placed in juxtaposition with Bill 143, which to my mind goes in a very different direction than does this bill in trying to both define and protect rights and to involve the citizens of this province in a meaningful way in a discussion about environmental issues, and in particular on waste disposal.

I hope we'll have an opportunity to explore those themes more directly and deeply when we get into second reading, and I would close simply by saying that I think the best thing the government could do to show how supportive it is of its own Environmental Bill of Rights and the principles in it would be to abolish the Interim Waste Authority and tell us that the present process has cost far too much money, has achieved nothing and that we've got to start from scratch again.

**The Acting Speaker:** Questions and/or comments?

**Mr Allan K. McLean (Simcoe East):** I'd like to take a couple of minutes to comment on the remarks made by my colleague.

In this Environmental Bill of Rights, Bill 26, "The purposes of the bill are stated in part I, which also contains interpretive provisions." It "provides for the appointment of the Environmental Commissioner, who will review compliance with the requirements of the bill and recourse to the rights provided by the bill."

I've read this bill fairly thoroughly, and I find there are a lot of sections in here that have to deal with the minister:

"The minister may amend the ministry statement of environmental values from time to time."

"The minister shall take every reasonable step to ensure that the ministry statement of environmental values is considered whenever decisions that might significantly affect the environment are made in the ministry."

This bill gives the minister the right to do almost as he pleases.

The member who has just spoken talked about the problems we have in this province with regard to disposal sites, garbage dumps and this bill. He indicates that this bill has no effect whatsoever with regard to those sites. What is the bill all about if it doesn't have some in-depth input into those very issues?

### 1710

Under sections 15, 16 and 22 of this bill, proposals for policies, acts and regulations: "If a minister considers that a proposal under consideration in his or her ministry for a regulation under a prescribed act could, if implemented, have a significant effect on the environment, the minister shall do everything in his or her power to give notice of the proposal to the public." There's outlined in here all those different steps you take.

This Environmental Bill of Rights, to me, needs a really in-depth study.

**Mr Stockwell:** The curious thing about this piece of legislation is that it is designed as an act representing the Environmental Bill of Rights for the people of Ontario. What two things come to mind as the most environmentally sensitive issues that come before the electorate in the province of Ontario? Most people would suggest that the two most sensitive issues that people deal with on an environmental basis would be (1) garbage dumps, and (2) potential development of hydro-electric generating capacity.

The strange thing about this is that this bill, this piece of legislation that this government has drafted and put before the people and classified as an Environmental Bill of Rights, has no power nor jurisdiction over probably the two most important environmental issues that face people: Ontario Hydro and dump sites. Yet they stand before this Legislature and the people of the province and proclaim the salvation of the environment of the province of Ontario because they've introduced this piece of legislation that can't do a damn thing about a garbage dump going next to you, in a bunch of regions around Metropolitan Toronto, or the building of a nuclear reactor station in a part of the province that you happen to live in.

What it can do is it can stop somebody from building a lean-to; it can maybe stop a barn from being built; it potentially could stop a house from being developed down the street. But if you've got a dump going in next door, you can't do a damn thing about it with the Environmental Bill of Rights.

That kind of is a contradiction, isn't it? It makes you wonder what they're doing this for, and you come to the conclusion that it's to fulfil a campaign promise that they would introduce this. What they didn't tell the people when they were campaigning was, "Gee, we're going to introduce an Environmental Bill of Rights, but it's not going to have any teeth, it's not going to have any bite, it's not going to have any capacity to stop the things that you people want us to stop, like dump sites that are improperly sited and things along those lines." I'd like the Liberal member's comments on those kinds of things.

**Mr Tilson:** I'd like to compliment the member for York North on his remarks this afternoon. He's made

three remarks that stand out in my mind. One, if I could paraphrase it, is are we really creating a monster that's going to be out of control? Are we creating something we won't be able to deal with in the future? Is this bureaucracy going to be something that we simply will have no control over and be high-priced? Will we have a high-priced commissioner and will we have high-priced bureaucrats who will require high-priced legal counsel to interpret a law that we don't understand?

The other major issue that I think he raised is with respect to Bill 143. Bill 143 is a major contradiction of this bill. Bill 143 says we can't debate the long rail haul proposal; we can't debate incineration; we can't debate a whole slew of things. "We will do this, and that's that." In other words, the individuals who live in the three regions—and the member for York North has some constituents who have a lot to say on this subject. They're not allowed to, Bill 143 says you can't do that, yet we come along with Bill 26 and, as the member from Etobicoke whatever says, that too is a major contradiction.

It is a strange, contradictory process that this government is coming forward to say on the one hand that it's giving individuals the rights through the Environmental Bill of Rights, and then on the other hand through Bill 143 they don't have the rights to participate and obtain information from groups such as the IWA. They can't find a whole slew of information.

I congratulate the member on his thoughts this afternoon.

**The Acting Speaker:** We can accommodate one final participant. Seeing none, the honourable member for York North has two minutes in response.

**Mr Beer:** I appreciate the comments of my colleagues. In answer to my friend the member from Etobicoke, I think he has in his own inimitable way joined the issue. Indeed, the member for Dufferin-Peel said in his earlier remarks that what we are dealing with here is on the one hand an Environmental Bill of Rights that says a lot of things that are important and with which we agree, but we're trying to look at that in the context of Bill 143, which does run counter to all of those things that are in the Environmental Bill of Rights.

If those issues, dumps, hydro sites, whatever, can't be dealt with, it goes back to the other concern I have that people then look at this as something which isn't what it purports to be, isn't what it says to be, and therefore we have yet another decline in the respect in which people hold legislative bodies such as our own.

In concluding on the remarks that have been made, I think we need to look at this bill and try to make sure, as sure as we can be, that it will be effective. I think we've got to find ways it's going to have an impact on these other pieces of legislation, other government

actions that have a profound impact on people's lives. Certainly garbage dumps, nuclear sites, a whole series of other major issues like that, are ones where people need to have the right to impact on those decisions, and that's what we're looking for, so I look forward to the continuing debate and to the hearings we'll have after second reading.

**The Acting Speaker:** I thank the honourable member for his participation. Further debate?

**Mrs Margaret Marland (Mississauga South):** When we take note of the particular change that will be enacted by this bill, I would like to give some examples of where these changes are needed. First of all, let's describe the responsibility, according to the bill, of the Environmental Commissioner. This person is supposed to ensure public accountability of all environmental decisions; will review any new or existing policy, act or regulation if any two residents of Ontario believe the environment is not being adequately protected; will investigate alleged violations of environmental regulations if any two residents of Ontario request an investigation. The Commissioner liaises with the appropriate minister, and there are time limits for the responses to complaints.

In my riding, we have a cement company by the name of St Lawrence Cement Inc. The St Lawrence Cement case demonstrates the need for a body separate from the Ministry of Environment and Energy to ensure that this ministry is doing its utmost to protect the environment and to uphold our environmental laws and regulations. The commissioner will give residents recourse when the Ministry of Environment and Energy and certain other ministries appear not to take appropriate action.

The first example I would like to place on the record is this: St Lawrence Cement operates an unauthorized landfill site, which raises questions of possible groundwater contamination from leachate. Nine years ago, in April 1984, a ministry official determined that there was groundwater contamination in bedrock wells 2 and 3 under the St Lawrence Cement property. The official recommended that ongoing groundwater monitoring be done at this site. However, this monitoring has not taken place, even though it was a Ministry of the Environment official who recommended that this monitoring be done.

1720

St Lawrence Cement submitted an application in 1984 for the landfilling operation, and according to my staff who have spoken to Alex Giffen, the acting regional director: "The approval of this application was delayed as the ministry tried to develop procedures for processing these types of applications. As the landfilling of kiln dust at cement plants is common to all cement manufacturers in Ontario and pre-dates the ministry's legislation, it should be noted that St Lawrence Cement is in the

process of updating their applications, which should be submitted for approval in the near future."

What possible justification can there be for a nine-year delay in processing an application? The data from a detailed sampling program of waste kiln dust is needed to process this application. Frustrated by St Lawrence Cement's lack of testing, the Ministry of Environment and Energy has drafted a director's order with respect to this unauthorized landfill. Yet now, apparently, the ministry is willing to sit on that order until next spring to give St Lawrence Cement a chance for voluntary compliance.

Voluntary compliance? That's about as realistic as saying that the Treasurer, Floyd Laughren, isn't going to raise taxes next year. Voluntary compliance? Let's talk about the kind of company that we're waiting for for voluntary compliance.

The ministry's leniency cannot be justified for a company like St Lawrence Cement, which has a lengthy record of promising to do tests, then failing to follow through on its promises. Even this year, St Lawrence Cement has failed to do the bulk of the tests ordered by the Environmental Appeal Board last December.

Can you believe that, Mr Speaker? The taxpayers of this province fund a system of environmental hearings. We have an Environmental Appeal Board that gave direction to St Lawrence Cement, and they still have not complied with that direction in total, hardly in part. St Lawrence Cement has had 10 years to do its testing. Would somebody please explain why they need another six months?

The second example is this: During the recent Environmental Appeal Board hearings, counsel for the Ministry of Environment and Energy was given the opportunity to reopen evidence and to recall witnesses, but he declined to do so.

Now, you would have to have been at this hearing, as I was, to understand the significance of this. This was the chairman of the Environmental Appeal Board inviting the lawyer for the Ministry of Environment and Energy to reopen their case. It's the case of a control order being issued against the cement company and St Lawrence Cement not agreeing with the order and appealing it. Here we have somebody representing the ministry that issued the order against the company, that lawyer for the ministry not wishing to reopen the case and recall witnesses and therefore obtain more evidence, witnesses who had given evidence since that representative of the legal services branch had cross-examined other witnesses at the hearing.

As a result, a community group called Residents Against Cement Company Pollution, RACCP, had felt the need to subpoena witnesses, including two ministry officials from the air resources branch.

So here you have a picture of an Environmental

Appeal Board hearing where the ministry staff are sitting on their hands and who is doing the work but a citizens' group represented by one woman; a woman, I may add—her name is Julie Bart—who is not a lawyer. She does not work for any company that might be in competition with St Lawrence Cement. As a matter of fact, at this time and for the past year, this woman has been unemployed because she has chosen to be at home with her family.

Throughout this Environmental Appeal Board hearing, Julie Bart has had a baby. She now is the mother of her third daughter, Miriam, who—and if anybody is going to be an environmental lawyer, I guess it's going to be her daughter Miriam, because Julie Bart has spent the last 12 months of her life preparing for the days when this hearing was taking place. Quite frankly, if Julie Bart had not been given standing by the board at the beginning of the hearing, which is just about a year ago at this time, this hearing would have long since been over, based on the inaction by the Ministry of Environment legal services branch.

It was very interesting to be there the day the Environmental Assessment Board invited Ms Julie Bart to request standing, to give evidence and to call evidence and argument before the board as a citizen. It's been a very revealing 12 months, not encouraging from the standpoint of the legal services branch of our ministry because, frankly, on the one hand we've got an enforcement branch in the district office that has issued a control order and then we have a legal services branch that put in an appearance at the Environmental Assessment Board, which is almost an automatic thing for them but not something that obviously they're prepared to do any work on.

The third example I would like to give you is this: St Lawrence Cement burns chlorinated solvents—in other words, hazardous waste—for 40% of its production. There is something wrong with our environmental standards when St Lawrence Cement has been able to burn chlorinated solvents since the late 1970s without being required to test for the toxicity of its emissions.

At its recent annual meeting, this group of residents, the Residents Against Cement Company Pollution, heard from a Dr David Pengelly, a professor of medicine and engineering physics at McMaster University. Dr Pengelly is co-chair for the environmental health committee of the Canadian Lung Association. The residents learned that literature and tests done at other cement kilns show that three things happen when chlorinated waste solvents are burned: (1) quantity of emissions increases; (2) particles emitted tend to be the smallest, which are the most hazardous types; and (3) particles emitted tend to be more toxic—for example, more heavy metals such as lead, cadmium, aluminum, mercury etc and more dioxins and furans.

St Lawrence Cement has never done any testing of its

emissions when burning chlorinated waste solvents. Under order of the Environmental Appeal Board in January 1993, St Lawrence Cement did its first-ever test of quantity and size of particles being emitted. The results were as follows:

(1) The amount of emissions were astronomical. From just one source it was 95% of the allowance maximum. If one were to factor in the other sources of emissions, SLC could well be contravening regulation 346.

(2) Ninety-five per cent of the particles emitted were of the type PM-10, which Dr Pengelly discussed as being hazardous to respiratory health.

Despite a letter which I received from the Minister of the Environment and Energy on June 28 of this year which said, "I understand and share your concern for the potential problems associated with incineration of chlorinated solvents," guess what? No tests are currently scheduled to determine the toxicity of emissions.

1730

The St Lawrence Cement plant does not have one continuous monitor that it uses to see how much and what is coming out of its stack. This is a facility that has such day-to-day operational problems that despite its objective to run 24 hours a day, seven days a week, it had unplanned kiln stoppages 30% of the time in 1992.

Why won't the Ministry of Environment and Energy suspend St Lawrence Cement's licence to burn until the company can demonstrate, through appropriate testing, that the resulting emissions are safe? That is a very important question. It has not been answered by this ministry, and in my humble opinion it is not too much to ask. Do we have to entrust environmental scrutiny and enforcement to the watchdogs like our community group Residents Against Cement Company Pollution instead of the ministry?

Under public participation, the Environmental Bill of Rights will establish minimum standards for public notice of and participation in environmental decision-making by designated ministries within the province of Ontario. This too is relevant to St Lawrence Cement.

Herman Turkstra, who is the counsel for St Lawrence Cement, in his opening remarks before an ongoing Environmental Appeal Board hearing, welcomed a full and open process. To quote Mr Turkstra:

"St Lawrence Cement in many respects is delighted to be here today in this hearing, and that so many of its neighbours are here; because the issue of what in fact is happening at the company's cement plant in Mississauga and what the nature of the problem is, and what the range of solutions are, will finally be dealt with in an open proceeding with the evidence being given under oath....

"So that instead of this issue being communicated between St Lawrence Cement and its neighbours by way of media reports, newsletters and speeches, the com-

munity will hear the facts."

That was at the opening of the Environmental Appeal Board hearing and there were approximately 200 local residents in attendance.

Guess what? After this wonderful statement by Herman Turkstra that he was happy to be there, that the company was glad everything was going to be in the open and everything would be on the record, guess what? Now St Lawrence Cement wants to keep its test results secret from the public, these test results that it's never done since it's been burning chlorinated waste since the late 1970s.

The only reason these tests are being done is because they are under order of the Environmental Appeal Board. St Lawrence Cement says the disclosure of information about its opacity project work program could represent a competitive advantage to others in the cement-making or related industries.

This company, which thinks it is such a wonderful corporate citizen should start thinking less about its competitive advantage and more about the thousands and thousands of people who live within the plume fallout from its stack, and that includes a far greater area than Oakville and Mississauga when the wind carries that plume.

Other aspects of the hearing have posed a problem for the community group RACCP, which has been a party to the Environmental Appeal Board hearing. For instance, the group has had its problems obtaining transcripts of the proceedings. So far, RACCP has been unable to obtain a draft of a new directives order regarding St Lawrence Cement's landfill operation, even though the ministry shared the draft with SLC. Isn't this just great?

Under section 3 of the Environmental Bill of Rights, we deal with legal action by residents. The Environmental Bill of Rights will let residents of Ontario initiate legal action against alleged violators of environmental laws. Legal action is considered to be a last resort when either a response to a request for investigation was not received in reasonable time or an unreasonable response was received. Action can be taken only if the protection of a "public resource" is threatened. Public resources are defined as public lands, the air, water, plant life, animal life or the ecological system. No damages can be awarded. The court can order that an activity be terminated or a plan for restoration and cleanup be developed.

This too has relevance to St Lawrence Cement. Considering the unreasonable delays that the residents have encountered with the ministry and St Lawrence Cement in terms of conducting tests to determine the safety of the plant, a legal remedy may be necessary as a last resort.

It's really interesting when we talk about what we are

protecting as a public resource, because in the case of St Lawrence Cement, it is built right on the shores of Lake Ontario. I have no figures about the number of people Lake Ontario provides with drinking water, but since the population of Ontario is now in excess of 10 million and since I do have an approximate figure of five million people living in the Golden Horseshoe area, it probably would not be an exaggeration to talk about the north shore of Lake Ontario, and the south shore of Lake Ontario impacting on the residents of New York state, although I recognize New York state doesn't exactly have a good environmental record either.

When we look at the numbers of people, even in a very lenient estimate, I would say we could be looking at the water supply for three to four million people.

It does not make sense to allow a company to continue its operation in violation of environmental laws which exist today. That's the sad story about St Lawrence Cement. Here we are today debating Bill 26, and on the surface Bill 26, An Act respecting Environmental Rights in Ontario, sounds great, for those people who support the content of this bill. But my concern is that we have environmental laws that exist today in this province and those laws are not being enforced.

We have people in district offices of the Ministry of Environment and Energy in this province who work very hard, and I want to commend the staff of the Oakville district office and the people who work there. In my humble opinion, they are understaffed, and they work very hard. We can talk about the manager of that office, John Budz, and his staff and the fact that they must reach a very high level of frustration, because they go out and do their investigation and they gather their evidence and they issue an order, as they have issued a control order against St Lawrence Cement, and then, when St Lawrence Cement decides it does not wish to comply with that order, also legally it has an option to appeal it.

In this case, we have an ongoing hearing where their appeal is taking place, but in the meantime we have uncovered some other concerns to do with the operation of St Lawrence Cement. We have to question how much good another bill respecting an environmental issue in this province will do if we can't have stronger enforcement when it comes to the legal services branch.

1740

We have certainly got a very important example in this particular hearing. When the hearing is complete, I think there will be an interesting review of exactly what has taken place. Fortunately, there is going to be a transcript of the whole hearing, and it will very quickly become evident that without the participation of the residents the hearing would have been over probably at least six or eight months ago because the legal services branch did not wish to reopen the evidence or hear from more witnesses.

In this case, when we talk about environmental rights in this province, I think we must remember that it doesn't matter how many laws we have and how many opportunities we have to protect the environment; if it doesn't happen, it's meaningless. I could probably cite other examples, but I'm using St Lawrence Cement as an example because it's in my riding. In the case of St Lawrence Cement, we have had an illegal landfill operation for nine years; for nine years, we've had this unauthorized landfill site. We may have had it for longer than nine years, but it was nine years ago that the ministry decided there was groundwater contamination. It's a pretty scary thought, if there's been groundwater contamination for nine years. The runoff of that groundwater goes into Lake Ontario and, as I've just explained, that's where our drinking water comes from.

That's the groundwater contamination. When we look at what possibly could be contamination of the air, we're looking at possible emissions that come out of a stack and fall into the lake, so if it doesn't get into the lake through the leachate through the groundwater, perhaps it comes out of the air. Perhaps it doesn't, but since the late 1970s this company has been allowed to burn chlorinated wastes. The point is that it may be that their burning has been safe, it may be; I'm not saying that it necessarily has caused any problems.

I'm simply saying, how is it, when there is enough evidence, not just around this province, enough evidence of the risk of burning chlorinated waste solvents, which are a hazardous waste, that there isn't a monitoring? That's all I'm asking. If it's safe and it's a safe way of disposing of those hazardous wastes, fine, but at least have some monitoring done.

In this case, when the company is ordered by the Environmental Appeal Board to do a whole set of tests and has failed to do the bulk of those tests, I think it's mandatory for Mr Wildman, the Minister of Environment and Energy, to put a halt to the burning of those wastes which are used for 40% of the operation of this company. Until the tests are done, I think the burning of those chlorinated solvents must be stopped. It must be prohibited until the tests which the Environmental Appeal Board has ordered have been done. When those tests are done and everyone sees the full facts, then we will know whether or not it's a safe procedure, then we will know whether or not St Lawrence Cement can continue to do that, to burn those chlorinated wastes for 40% of their operation and therefore 40% of their fuel needs.

It's not a bad deal. You probably get paid for disposal of hazardous wastes and then you can turn around and use it as a fuel in your operation. All of that's fine as long as it's safe, but how do you get to do it for 15 years and never have to do one single test to prove what your emissions contain? It's not a very good situation.

It's not a situation I'm satisfied with, and I won't be satisfied until we have a full report from the ministry. The passage of Bill 26 may just be superfluous if we don't have action.

**The Acting Speaker:** Thank you. The honourable member's time has expired. Questions and/or comments?

**Mr Kimble Sutherland (Oxford):** I enjoyed listening to the member for Mississauga South. She's very concerned about this issue in her riding, and I'm glad to see that we know she won't be supporting incineration of any kind by cement plants, whether that be garbage, whether that be tires. I just hope that what she's saying is the same thing that her leader will be saying, considering that he continues to go around this province and say that this government isn't doing anything good for business, is only putting roadblocks in the way.

I'm sure she'll make sure that Mr Harris will be a leading advocate out there for environmental causes, to ensure that this province continues to be a very safe and clean place for everyone to live, because we know that the leader of the third party is spending so much time talking about environmental issues. It was a very refreshing change to hear this from the member for Mississauga South. I look forward to hearing more comments of a similar nature coming from her leader when he is travelling around the province.

**The Acting Speaker:** Thank you. Further questions or comments?

**Mr Steven W. Mahoney (Mississauga West):** I have a sneaking suspicion that the member who has just given us this 30-minute attack, really, on a local business in Mississauga rather than an analysis of the good points or bad points of Bill 26—I would be quite surprised if the leader of the third party, as the member for Oxford has suggested, would concur with much of what was said. I also think that all of us in this place should be prepared at all times to say what we say in here out there, and I would suggest that I would be surprised if that were the case.

I'm not surprised—I am a little disappointed—but as time passes around here I hear Tories making NDP speeches and NDPers making Tory speeches. It's getting really interesting. We don't know what to do here. You guys are all melting together in one pot, which is really quite fascinating.

1750

Mr Speaker, let me tell you that several millions of dollars were spent by both St Marys Cement and St Lawrence Cement in putting together documentation based on testing on the very burning issue that we're all—some of us—concerned about, not the ideological issues that obviously the member for Mississauga South shares with the government members of simply saying: "We will not burn anything under any conditions. It will

all stop. We don't want to see the results of the testing that has been done by the cement companies and by other people."

We have an incinerator in Peel operating daily, taking in 1,000 tonnes a day of municipal garbage and burning it. Those tests are ongoing. It's operating. It's there. It's real. St Lawrence, St Marys, all of these people wanted and still want an environmental assessment to find out if what they're finding out in their tests is accurate.

**Mr Tilson:** I'd like to congratulate the member for Mississauga South for raising a couple of issues with respect to a local matter in her riding. I think it's a prime example of the issue of public participation in government decision-making, and I think this Bill 26 is attempting to deal with that. I guess she's asked the real question. She's looked at what exists now and she's looked at what Bill 26 is trying to solve and if Bill 26 has improved over the existing system.

In other words, you could look at the government delaying at its discretion any complaint that is being made by an individual or individuals against a corporation or any other organization as opposed to frivolous claims by individuals or corporations. The situation, as I understand the member for Mississauga South, is not going to be improved one iota with respect to Bill 26. I think she's quite right that what the government is trying to do with this Environmental Bill of Rights is not going to change as a result of Bill 26.

The other issue that she's raised is her topic with respect to incineration, and whether you agree with incineration or whether you disagree with incineration, the fact of the matter is, Bill 143 and Bill 26 prohibit this House essentially from dealing with the subject of incineration. Bill 143 says: "Thou shalt do it this way," and that's all. We won't look at the long rail haul system; we won't look at Kirkland Lake or any other area outside the GTA; we won't look at incineration; we won't look at any other alternative. We're only going to look at what this government says and that's that.

I think the raising of this whole issue shows that we need to discuss all of the issues. The very fact that we can't discuss the disposal of waste under Bill 26 is simply unbelievable. Bill 26 does not allow us to do that, because they say the IWA is looking after that very nicely, and I say it's not.

**The Acting Speaker:** We can accommodate one final participant.

**Mr Jim Wiseman (Durham West):** I'd like to compliment the member for Mississauga South on her stand on incineration, because of all the members in that party, she was the one who showed the most credibility when it came to voting on that issue. She stood up and she said no to incineration. The rest of the party got up and said yes to incineration. I think that's a courageous stand for her to take. I don't necessarily agree with the

reason she did that, but I think it's important that that voice be heard in terms of the waste from incineration.

I agree with her in terms of what testing is available and what remediation can be done, what should be burned in these cement kilns and what shouldn't be burned in cement kilns, the process in terms of what we know about what happens during the burning process, the contaminants that are created and the fact that if you burn some of this stuff, the PCBs and other chemicals get locked into the cement and become part of the blocks, part of the process and will be leached out during rain or whatever other process, or will wind up, when it is taken out of the system, as rubble poured into the lake or some other area, and we find out this is now part of the ecosystem and we have to be concerned about it.

It's important that at least somebody in the Tory party understands the dynamics of that. Clearly, when they all stood up and voted in favour of incineration just a little while back, there was at least one ray of hope in terms of the party coming into the 21st century and understanding the negative dynamics of what happens when you burn things and you don't have the control over it and you don't know what will be the result.

I've run out of time, Mr Speaker. I will elucidate more later.

**The Acting Speaker:** This completes questions and/or comments. The honourable member for Mississauga South has two minutes in response.

**Mrs Marland:** I'm delighted that Mr Mahoney, the member for Mississauga West, has just put on record that he has no idea what his own city council is doing, of which his own wife is a member, because the city of Mississauga council has passed a resolution almost word for word stating the same concerns that I have placed on the record this afternoon. Instead of Mr Mahoney saying that I'm simply attacking a local business in Mississauga, I would suggest to him that he listen to—

**Mr Mahoney:** On a point of order, Mr Speaker: I have been twice referred to by name on a personal basis. I believe under the rules that's out of order.

**The Acting Speaker:** Thank you. I want to remind the honourable member for Mississauga South that we refer to colleagues by the name of their riding.

**Mrs Marland:** Everybody knows the name of the person for Mississauga West, and I would like to say that when he suggests that I am making a partisan speech and he challenges me to say what I say in the House elsewhere, I simply say to Mr Mahoney, I am very proud to stand in this House tonight and speak on behalf of my constituents, which is what I am elected to do. I am not doing what perhaps the member for Mississauga West might like to do, which is stand in this House and speak on behalf of a business interest. I stand here and know what my council is saying and

doing, and the mayor of Mississauga and Councillor Katie Mahoney and Councillor Pat Mullen and the balance of the rest of council all support my position because, as I say, they have already passed a motion to that effect. They share my concern about the operation without testing of St Lawrence Cement in my riding.

**The Acting Speaker:** I thank the honourable member for her participation. Further debate? The honourable member for Durham West.

**Mr Wiseman:** Mr Speaker, I would request that you give me some direction here. We are about two minutes before 6 of the clock.

**The Acting Speaker:** The House normally proceeds until 6 of the clock, and you do have some time, unless you want to attempt to get unanimous consent.

**Mr Wiseman:** I could begin and then I would adjourn debate as I move in.

To begin, what we should be debating here in second reading is the principle of the bill; that is, whether we agree or disagree with the principle of the bill. I think that is a significant place to begin in terms of discussion around the Environmental Bill of Rights. I think that's important because everyone who has gotten up and spoken in this Legislative Assembly has said that it's an Environmental Bill of Rights. They have, either intentionally or unintentionally, misspoken the name of what we're talking about.

It says it's "An Act respecting Environmental Rights in Ontario." But by saying that it's an Environmental Bill of Rights, we have actually elevated the discussion from being just another bill to saying that the environment should have the same kind of rights that we have throughout history aspired to as human beings, whether it be the Declaration of Independence or the Declaration of the Rights of Man or the Charter of Rights or John Diefenbaker's Bill of Rights. We have elevated the discussion here, by talking about an Environmental Bill of Rights, to say that the environment is a significant and an important part of who we are and what we are in this world.

We have said, by changing the name of this bill from a bill that says "An Act respecting Environmental Rights in Ontario," by this calling it an Environmental Bill of Rights, to say that the environment is part of what we should be and who we are and that when we start to talk about issues now, whether they be economic issues, whether they be human issues and whether they be issues pertaining to other rights and education, we now have elevated the discussion in all of those places to include the environment.

On that, I will adjourn the debate.

**The Acting Speaker:** It now being 6 of the clock, this House stands adjourned until tomorrow, Wednesday, September 29, at 1:30 of the clock.

The House adjourned at 1801.

## CONTENTS

Tuesday 28 September 1993

<b>MEMBERS' STATEMENTS</b>	
<b>York County Hospital</b>	
Mr Beer .....	3063
<b>Mining industry</b>	
Mr Jordan .....	3063
<b>Jobs Ontario</b>	
Mr Sutherland .....	3063
<b>Bridge restriction</b>	
Mr Brown .....	3063
<b>Meals on Wheels</b>	
Mr David Johnson .....	3064
<b>Kids Can Play</b>	
Mr Fletcher .....	3064
<b>Paramedic services</b>	
Mr McGuinty .....	3064
<b>Hazardous waste</b>	
Mrs Marland .....	3065
<b>Encyclopedia of Ukraine</b>	
Mr Malkowski .....	3065
 <b>STATEMENTS BY THE MINISTRY AND RESPONSES</b>	
<b>International trade</b>	
Ms Lankin .....	3065
Mr Kwinter .....	3066
Mr Carr .....	3067
Mr Stockwell .....	3068
 <b>ORAL QUESTIONS</b>	
<b>Ferry service fees</b>	
Mrs McLeod .....	3068
Mr Rae .....	3068, 3069
Mr O'Neil .....	3069
<b>Ambulance services</b>	
Mrs McLeod .....	3069
Mrs Grier .....	3070
<b>Violence in schools</b>	
Mr Harris .....	3071
Mr Rae .....	3071
 <b>PETITIONS</b>	
<b>Casino gambling</b>	
Mr Hope .....	3078
Ms Carter .....	3079
<b>Gambling</b>	
Mr Bradley .....	3078
<b>Pickering airport land</b>	
Mr Frankford .....	3078
Mr O'Connor .....	3079
Mr Wiseman .....	3079
 <b>HEALTH CARE</b>	
<b>Schools for the deaf and learning disabled</b>	
Mr Paul R. Johnson .....	3079
 <b>MOTIONS</b>	
<b>First deputy chair</b>	
Mr Charlton .....	3080
<b>Private members' public business</b>	
Mr Charlton .....	3080
 <b>FIRST READINGS</b>	
<b>Land Conservancy Corporations Act, 1993, Bill 92, Mrs Mathyssen</b>	
Mrs Mathyssen .....	3080
 <b>SECOND READINGS</b>	
<b>Environmental Bill of Rights, 1993, Bill 26, Mr Wildman</b>	
Mr Tilson .....	3080, 3089, 3093, 3097, 3102
Mr Lessard .....	3088
Mr David Johnson .....	3088
Mr Klopp .....	3089
Mr Beer .....	3089, 3094, 3098
Mrs Grier .....	3090, 3094
Mr White .....	3093
Mr Conway .....	3093
Mr Stockwell .....	3093, 3097
Mr McLean .....	3097
Mrs Marland .....	3098, 3103
Mr Sutherland .....	3102
Mr Mahoney .....	3102
Mr Wiseman .....	3102, 3103

## TABLE DES MATIÈRES

Mardi 28 septembre 1993

<b>PREMIÈRE LECTURE</b>	
<b>Loi de 1993 sur les sociétés de protection des terres, projet de loi 92, M<sup>me</sup> Mathyssen .....</b>	3080

<b>DEUXIÈME LECTURE</b>	
<b>Charte des droits environnementaux de 1993, projet de loi 26, M. Wildman .....</b>	3080

No. 61



Nº 61

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

Third Session, 35th Parliament

**Official Report  
of Debates  
(Hansard)**

Wednesday 29 September 1993

**Assemblée législative  
de l'Ontario**

Troisième session, 35<sup>e</sup> législature

**Journal  
des débats  
(Hansard)**

Mercredi 29 septembre 1993

Speaker  
Honourable David Warner

Président  
L'honorable David Warner

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



### **Hansard on your computer**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. Sent as part of the television signal on the Ontario parliamentary channel, they are received by a special decoder and converted into data that your PC can store. Using any DOS-based word processing program, you can retrieve the documents and search, print or save them. By using specific fonts and point sizes, you can replicate the formally printed version. For a brochure describing the service, call 416-325-3942.

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

### **Subscriptions**

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Lists of members**

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month. A list arranged by riding and including ministerial responsibilities appears on subsequent Mondays.

### **Le Journal des débats sur votre ordinateur**

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Ces documents, télédiffusés par la Chaîne parlementaire de l'Ontario, sont captés par un décodeur particulier et convertis en données que votre ordinateur pourra stocker. En vous servant de n'importe quel logiciel de traitement de texte basé sur le système d'exploitation à disque (DOS), vous pourrez récupérer les documents et y faire une recherche de mots, les imprimer ou les sauvegarder. L'utilisation de fontes et points de caractères convenables vous permettra reproduire la version imprimée officielle. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

### **Renseignements sur l'Index**

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

### **Abonnements**

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.

### **Listes des député(e)s**

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et dans le numéro du premier lundi de chaque mois. Par contre, une liste des circonscriptions inscrites dans un ordre alphabétique et comprenant les responsabilités ministrielles paraît tous les lundis suivants.

Wednesday 29 September 1993

The House met at 1333.

Prayers.

#### MEMBERS' STATEMENTS

##### FOREST INDUSTRY

**Mr Michael A. Brown (Algoma-Manitoulin):** I have a statement directed to the Minister of Natural Resources, and it concerns the ongoing saga of stumpage fees. In July, after a continued assault by the Leader of the Opposition, Lyn McLeod, the member for Kenora, Frank Miclash, the member for Timiskaming, David Ramsay and myself, we convinced the minister to delay the planned increase for the base rate of the non-integrated sector of stumpage fees till October 1.

October 1 is Friday, and the people in the forest industry do not know what the planned increases are. That is just not acceptable. There has been confusion about the date that the fees will begin and what the actual fees will be.

The Ontario Lumber Manufacturers' Association is concerned about the impact that this increase in production costs will have on its competitive position in the North American market. Of equal importance is the impact that this increase will have on independent truckers and loggers in northern Ontario. This base rate increase will no doubt have a greater impact on this group than on other players within this sector, as profit margins will be shaved considerably.

The lumber manufacturers' association has not been informed officially of when this announcement will be made and there is confusion about the silence of the minister.

It's time for the ministry to sit down with all the stakeholders to re-evaluate the entire stumpage system and to arrive at a consensual competitive rate for the use of our forest resources.

#### ST GREGORY SEPARATE SCHOOL

**Mr Chris Stockwell (Etobicoke West):** I rise on behalf of St Gregory Separate School in Etobicoke. The minister is well aware that St Gregory's is in desperate need of renovations and expansion. The PTA has worked closely with its trustees and its school board in the 10-year struggle for funding.

Finally, their patience and hard work has put St Gregory's where? In first position for funding. They are aware of the ministry's new loan-based systems of financing capital projects, and the school board is prepared to debenture these funds.

I saw at first hand the condition of this school. It is seriously overcrowded, washroom facilities are inadequate, the playground is full of portables, storage rooms are being used for staff offices, and the list goes on and on and on.

If the minister won't take my word for it, perhaps you will listen to the children themselves.

Michael, a grade 7 student, writes: "The school is very old and in need of megarepairs. I am sure that you would not like it if your house looked like that and you had to work in it all day."

Another Michael writes, "The French teachers needs an office, not a broom closet." I would ask a page to deliver these notices over to the Minister of Education, who's not here.

We are expecting the Minister of Education's capital funding announcement very shortly.

On behalf of St Gregory's, I urge the minister to provide the necessary funding for these much-needed renovations. They have waited over 10 years.

In closing, I will quote from a grade 7 student, David, who wrote, Mr Minister, "I and the rest of my class are counting on you to do something about our problems here at St Gregory's school."

#### SOCIAL ASSISTANCE REFORM

**Mr Tony Rizzo (Oakwood):** During this fall session our government will be introducing legislation to reform social assistance in Ontario. There is a general consensus among my constituents acknowledging the need for reform in this area.

The meaning of welfare has changed from being a temporary emergency financial assistance to a permanent source of income that traps the very people it is supposed to help in an endless cycle of poverty and dependency.

We must work together to create a system that will protect and assist those who are truly in need. At the same time, social assistance must become an investment in helping people enter the workplace. A social assistance policy that discourages people from being productive cannot be successful; it is doomed to fail.

Those who abuse and rip off the system must face stiff penalties. Otherwise, the actions of these very unscrupulous individuals will jeopardize everyone's faith in the system.

This country and this province are highly regarded abroad because of the value that we citizens place on our social programs. As representatives of the people of Ontario, it is our obligation to come together to rebuild a welfare system that ensures fairness and encourages people to work.

#### NEW WCB HEADQUARTERS

**Mr Steven W. Mahoney (Mississauga West):** During hearings in the legislative committee looking into the Workers' Compensation Board, I raised an issue about the Workers' Compensation Board purchasing an

American-made floor system for its new \$180-million headquarters in downtown Toronto instead of buying made-in-Ontario, indeed, made-in-Oakville flooring that was half a million dollars cheaper than the American product and met the specifications.

I also tabled with the committee an internal memo from the American company that manufactures this flooring in Michigan wherein they admitted to their salespeople that the floor is crumbling around the edges and indeed does not meet the specifications called for in the bidding that was put out by the Workers' Compensation Board.

Members can shake their heads if they want, but it's a fact. It was tabled and Mr King has told me he would look into it. I've yet to hear from him.

The bottom line of this is that the Workers' Compensation board is cross-border shopping to buy a flooring system that is \$500,000 more expensive than the same product made right here in Oakville that is currently being installed in the Ontario Provincial Police building and currently exists in the building in Sault Ste Marie with the Ontario Lottery Corp and several other government buildings. It even has the Minister of Housing's stamp of approval for use, but it's not good enough for the Workers' Compensation Board.

1340

#### MARKHAM FAIR

**Mr W. Donald Cousens (Markham):** Mr Speaker, today I would like to invite you and all members of the Legislature to attend the Markham Fair this weekend. It starts tomorrow and continues through to Sunday, October 3.

It's a magnificent fair and offers something for everyone. There'll be 70,000 visitors coming. They'll be coming to see the fair queen, the horse show, the fiddling contest—that's something you guys are good at, the fiddling contest—the livestock exhibitions, the demolition derbies, the truck and tractor pull, fresh apple cider, the 4-H Club rabbit exhibit, the goat show—that's a place for all the NDP—the mouth-watering food, lively entertainment, exhibits and games; something for everyone.

The Markham Fair is open to everybody. There's loads of parking. Come and enjoy a wonderful weekend. It's right on McCowan Road north of Major Mackenzie off Highway 404.

This fair's been going for over 140 years. Trevor Hurley, the president, is working with thousands of volunteers to make this year's fair even better, and it would appear that Mother Nature's going to provide a super weekend, so, ladies and gentlemen, come to Markham. Markham Fair is this weekend. It's the best fair in the province of Ontario. If you haven't been, this is the year to make a visit to the Markham Fair. We'll look forward to seeing you there. There is room for

everybody. Bring your family, bring the young, bring all, because the Markham Fair is the place to go this weekend. If you haven't been, this is your chance.

#### PALLIATIVE AT-HOME CARE TEAM

**Mr Robert Frankford (Scarborough East):** Caring for the dying has always been a part of medical care, and it presents a challenge and responsibility for physicians. The development of palliative care, relieving symptoms in the home or in hospice, owes much to the work of the British physician Dame Cicely Saunders.

A few weeks ago I had the opportunity of sitting in on the weekly clinical case conference of PACT, the palliative at-home care team, in Scarborough. This is a group of family physicians that has been providing care to terminally ill patients in our community, predominantly people who have cancer. The team is directed by Dr Jackie Gardner-Nix. When I was there, they discussed the progress of the patients, the control of pain and other symptoms and the provision of care so that wherever possible clients can remain at home with the loving support of their families.

I know I can speak for many Scarborough families in expressing gratitude for the skill and devotion of the doctors and nurses participating in PACT. It's too easy for medical practice to become isolated, and the satisfaction of working together as a team was quite evident here.

It should also be noted that community palliative care is also cheaper to the system than institutional care, and we all very much hope that the Ministry of Health will continue to fund and expand services in Scarborough and across the province.

Mr Speaker, this coming Sunday, PACT will be participating in a fund-raising sale at Scarborough General Hospital and would welcome your presence, along with its many friends and supporters.

#### AUTOMOTIVE INDUSTRY

**Mr James J. Bradley (St Catharines):** There's a strong indication today that negotiations between the Canadian Auto Workers union and General Motors have produced, as part of their tentative agreement, a commitment on the part of the company to continue production of axles for GM at the St Catharines location for the duration of the contract. While there is no assurance that this production will continue beyond the three-year period, GM employees in St Catharines and in the community as a whole will be relieved that the CAW has established the retention of the axle operation as a priority in negotiations and that General Motors has responded positively to this initiative on the part of the CAW.

We must now turn our attention to the GM foundry operation in St Catharines, the 750 indefinite layoffs and the portion of the engine plant which was closed as a result of GM announcements.

This is an indication that negotiations between the Canadian Auto Workers union, or any union, and the company revolve not only around the dollars and cents issues, around pensions, around benefits and around wages, but also around the operations that take place and the security of employment in any community.

The Canadian Auto Workers, and Local 199 in St Catharines particularly, must be congratulated for taking this initiative. Everyone in our community will benefit as a result, at least for that three-year period. Now all of us have to work together to ensure that the remainder of the operation continues for many years to come.

#### MINOR HOCKEY

**Mr Ted Arnott (Wellington):** I believe that all members of this Legislature have received letters from the Ontario Minor Hockey Association regarding the serious problems the association is having with the Canadian Amateur Hockey Association, which may jeopardize minor hockey programs for 125,000 children in approximately 300 communities in Ontario.

Minor hockey is one of the most popular recreational activities enjoyed by Ontario's youth and forms an important part of our Canadian culture and heritage. If nothing else unites us as Canadians, our passion for this glorious sport always will. It will be devastating if the disagreement between adults at the senior levels of the Ontario Minor Hockey Association and the Canadian Amateur Hockey Association prevents boys and girls from taking part in this wonderful sport.

It's my understanding that some of the benefits which the Ontario Minor Hockey Association enjoys in its affiliation with the Canadian Amateur Hockey Association are reasonable group insurance rates. The loss of these reasonable rates may jeopardize the Ontario Minor Hockey Association's ability to compete internationally in the US and Europe. As well, the potential loss of tourism revenues associated with travelling teams cannot be ignored, should the current dispute remain unresolved.

I understand that the Minister of Culture, Tourism and Recreation met yesterday with members of the Ontario Minor Hockey Association, and I am pleased that she has taken this first step. I would urge her to continue to use all her influence as minister to bring all of the parties together to the table in an effort to resolve this problem. I am sure that the children and parents involved in minor hockey in Ontario would appreciate her assistance and interest in trying to reach a settlement to this dispute.

#### SENIORS' HEALTH INSURANCE

**Mr Gordon Mills (Durham East):** In a few weeks' time, thousands of senior citizens would normally head off to Florida for the winter months. This year, 40% of the seniors who go south will be forced to stay at home. They're forced to stay at home because they can no

longer afford upwards of \$3,000 for their winter health insurance.

**Mr David Tilson (Dufferin-Peel):** Who's the cause of that?

**Mr Mills:** These seniors are not wealthy. They are the ordinary folks who have saved up to buy a winter place in the sun to enjoy respite from the cold.

**Mr Tilson:** Talk to your Minister of Health.

**Mr Mills:** Mr Speaker, they keep yapping, and I want more time on the clock.

In some cases, these people sold their homes to purchase two mobile homes: one here, one in Florida—

**Mr Hugh O'Neil (Quinte):** Talk to your Minister of Health.

**Mr Mills:** Listen to me—

**The Speaker (Hon David Warner):** Order.

**Mr Mills:** Mr Speaker, they're out of control over there. For the people whom I represent, this is a serious matter, and I don't want to keep being interrupted by those people.

These seniors have made a significant contribution to the fabric of Ontario. They've paid their way and now they expect some return considerations by way of creation of some reasonable health insurance for their stay in Florida.

I appeal to the Premier and to the cabinet: Set up your war room now and work out a solution to help those who have done so much for Ontario in the prime of their lives. They don't want to be let down. I'm looking forward to the help.

**Mr Tim Murphy (St George-St David):** Come on over, Gord.

**The Speaker:** Order.

**Mr Mills:** Mr Speaker, it's unfortunate that I've got off track with my statement because of all the rhetoric. This is a serious, serious matter.

1350

#### ORAL QUESTIONS

##### WCB PREMIUMS

**Mrs Lyn McLeod (Leader of the Opposition):** My first question is for the Premier. The Workers' Compensation Board has recently increased the premium rate for nursing homes and homes for the aged by 181%. That means that for every \$100 of payroll, their rate will move from \$2.15 to \$6.04. For local senior facilities such as the John Noble Home in Brantford, this means an increase in WCB premium costs from \$236,000 to \$660,000.

Premier, you will surely be aware that the nursing homes and homes for the aged across this province are already struggling to cope with the cutbacks in funding your government gives them, and you will know that seniors are going to have to pay 30% more themselves

for the services they receive.

The nursing homes are telling us that with this tripling of WCB premiums, their only alternative is going to be to reduce services to seniors in nursing homes and homes for the aged. I ask quite simply, have you even looked at what this increase in WCB premiums is going to mean in service to seniors?

**Hon Bob Rae (Premier):** Mr Speaker, I refer this to the Minister of Health.

**Hon Ruth Grier (Minister of Health):** First of all, I think it's important for members of the House to know that the WCB has made no decision as to the increase in its premiums. They are, as we are aware, looking at reclassifying employer rate groups to more closely reflect the nature of the business and the past accident experiences. The homes for the aged and nursing homes have expressed a concern that this would be a very major rate increase and are in discussions with the WCB at this point, but no final decision has been made.

**Mrs McLeod:** Minister, I am really addressing this question to the issue of the impact that an increase in premiums is going to have on levels of service in nursing homes and homes for the aged, recognizing that government is a very direct funder and therefore has a direct responsibility for the level of service that is going to be provided.

The kind of rate increase that the WCB is talking about would cost nursing homes an additional \$23 million over the next year. The nursing home association tells us that that kind of an increase would mean they would have to lay off 4% of their staff and they would have to reduce services to the 57,000 people who are in facilities across this province. When they raised their concerns about the reductions in service that they would have to face if they had these kinds of increases from WCB, the answer they got from the Workers' Compensation Board was, "That's not our problem; that's the government's problem."

That's why I bring the question back to you in the House today, Minister. How do you believe that seniors' facilities could cope with that kind of an increase, and do you really feel that nursing homes and homes for the aged should have to reduce their services to pay for this kind of increase?

**Hon Mrs Grier:** I'm glad the Leader of the Opposition acknowledges that no rate increase has been decided upon at this point. We are, of course, as concerned as she is that whatever the WCB decides should not impact on services in nursing homes and homes for the aged. Let me remind her that under our changes in the payments to facilities, there is over \$200 million more investment in facilities and care this year than there was last year. But, of course, as we deal with these issues, we will be expressing our views to the WCB, and the WCB, I know, is hearing from the

operators and is taking their concerns into account as it attempts to strike a balance before it sets its rates.

**Mrs McLeod:** I think I've heard something like this before, where this same minister in this same government said, "Oh, no, the social contract is not going to hurt health care in this province." Now we get the minister expressing some concerns about whether a decision by the Workers' Compensation Board to raise premiums is going to affect services to seniors in facilities across this province. I believe this minister has to do more than simply express concerns.

Let me ask you very directly about how you believe the Workers' Compensation Board could justify an increase anything like 181%. Obviously, we're all aware of the \$11 billion in unfunded liability that the Workers' Compensation Board is facing, but I think we would all still agree that any change in premiums for the Workers' Compensation Board should reflect the accident rate and the liabilities of that particular workplace. The nursing home association was told that 10% of the increase that was being proposed in their premium rates was simply to cover the administrative costs of the Workers' Compensation Board. The homes for the aged operators were told that their increase was indeed based on being reclassified to a new structure, a schedule which would include workers who are in manufacturing, in construction, in industrial occupations, and they don't understand where they fit in that kind of new schedule.

So I ask you, Minister, how do you feel this kind of rate increase can be justified, and do you believe that the seniors of this province should now be asked to pay for the mismanagement of the Workers' Compensation Board?

**Hon Mrs Grier:** First of all, let me say again that at this point nobody knows what in fact the rate increase will be. The WCB has been in consultations with the industry. The WCB is, yes, looking at reclassifying. But let's put the facts on the table. The reason they're looking at reclassifying is that these institutions have been lumped with hospitals. In fact, hospitals have had a better accident record than either nursing homes or homes for the aged. So in the determination of rates, hospitals have, if you will, been subsidizing the nursing homes and the homes for the aged. The WCB, I think quite properly, is taking a look at that. We don't yet know the results of that reclassification or what the rates will be, and I can assure you that both the nursing homes and ourselves have made and will make our views clear to the WCB.

**The Speaker (Hon David Warner):** New question.

**Mrs McLeod:** My second question is for the Solicitor General. I understand he is to be present today. So I'll stand down my question, assuming that he is to arrive.

**The Speaker:** Agreed. Third party.

## HEALTH SERVICES

**Mr Michael D. Harris (Nipissing):** My question is to the Premier. There is a national debate going on right now on our health care system; part of the federal campaign, no doubt, has accelerated that. Every time somebody in Ontario takes an ambulance, they pay a \$45 fee. That fee for the use of the ambulance is exactly the same fee whether you have an income of \$20,000 or \$120,000.

I know that the NDP, your government, you as Premier, your minister, your party, provincially, nationally and around the world are against user fees in health care. So I am wondering if you can tell me: Just what do you call this \$45 fee that Ontarians are charged for using an ambulance?

**Hon Bob Rae (Premier):** I'm interested to hear the leader of the third party raise this issue. I would say to him that we're not dealing here with a philosophical subject; we're dealing here with a very practical one. We have tried to make the fee structures in the province as fair as possible. We have been consistently strong advocates on behalf of health care for seniors and access to health care for all of our citizens, and we're very proud of it.

In a fashion which I feel is appropriate at this point, I'd like to answer the leader's question with another question. That is to say, what do you call a federal government that has deprived the taxpayers of this province of \$5 billion in terms of its cut on the cap on the Canada assistance plan? What do you call a federal government that has consistently denied to this province the means with which to finance the crucial social programs? What do you call a federal government which instead of paying 50% for health care is now paying 30% and less for health care in the province of Ontario compared to what it's doing in other jurisdictions? I call it a Tory government, and that's the one which you want to see re-elected and I don't think the people of Canada do.

**Mr Harris:** I'm interested in the Premier's question, because I don't name-call any other level of government; I deal with the problems right here that I was elected to deal with. Premier, let me ask you this, since the NDP is opposed to user fees and the Liberals apparently were opposed to user fees as well. Last spring, following a routine medical that I had with my doctor in North Bay, among the tests that my doctor ordered for me was a screening test for prostate cancer. I had that test. I paid \$10 to have that test because I was told that there was a fee for me to have that test that my doctor prescribed.

While the \$10 that I paid may not seem like a lot of money to me, and perhaps for some wealthier than I \$10 would not have been a problem, there are many people in this province for whom that \$10 fee would have caused a considerable amount of concern. So,

given, Premier, that you are against user fees—you, the NDP, your party, your minister, you are opposed to them—I just wonder if you could tell me what you call the \$10 fee that I paid to have a test for prostate cancer.

1400

**Hon Mr Rae:** The questions of what tests are medically necessary or not are questions that are being discussed with the OMA and with others and that are widely debated. I think it's fair to say that when it comes to the issue of insured services, medically necessary services, our party and our government have been very consistent in their support for the Canada Health Act. I think it's fair to say that there wouldn't have been a Canada Health Act if it hadn't been for the efforts of the New Democratic Party right here in Ontario as well as across the country.

If the leader of the third party is now saying that he is opposed to any form of copayment for whatever service patients choose to have, if that's what he's saying, if he's saying that he's opposed to that, let him stand up in his place and say it. I'd like to know whether you're opposed to it.

**Mr Harris:** The Premier's now on record, I suppose, saying that an ambulance to a hospital somehow or other is an optional luxury, not one that would be medically designated for that \$45 fee.

Let me ask you this: During the standing committee on public accounts earlier this month, the Deputy Minister of Health hinted that your government intends to charge between \$5 and \$10 for a new health card in Ontario. That would be \$5 or \$10 for everyone, rich or poor, to pay for the mismanagement of the red-and-white card brought in by the Liberals.

Since I know that you and the NDP and your minister are opposed to user fees, that you would never want to ever have a user fee, I just wonder if you could tell me what this proposed \$5 or \$10 fee that you're going to charge everybody is to be called?

**Hon Mr Rae:** There's been absolutely no decision taken by the government with respect to the issue of any fees with regard to a health card. In fact, I think we've made it very clear that we are eager to hear from the public accounts committee and from others with respect to the health card issue.

We believe that there's a problem with the Liberal health card. We think it's there. I think it has to be dealt with. There was also a problem with the Tory OHIP numbers where we had millions more Tory OHIP numbers than we had patients in the province. So don't turn around and try to invent some sense that this is a problem that started yesterday or even last week.

The question today is, what are you going to call the fee? I can only tell you there's been absolutely no decision whatsoever with respect to whether or not to charge a fee for any card. I think you should know that,

instead of going around making allegations that have no substance in fact other than in the imagination of the Tory party.

**The Speaker (Hon David Warner):** New question.

**Mr Harris:** Thank you very much. I'm sorry if the Premier thinks that the testimony his deputy minister gave to the committee is some allegation of mine. I didn't make it up. This is what the Deputy Minister of Health, your friend Mr Dechter, said.

*Interjections.*

**The Speaker:** Does the leader have a second question?

#### ASSISTED HOUSING

**Mr Michael D. Harris (Nipissing):** My second question, Mr Speaker, if you have control now of all members of the House, is to the Premier as well.

This is a picture I would like you to have a look at. I'd be happy to send it over, if you like. This is a picture of a renovated house on Waverley Road in Toronto. It was a house that was purchased and it was renovated into four apartment units.

This house was purchased and owned and is run by the Riverdale Housing Action Group with the encouragement of, I might add, and 100% funding by your government. The total cost of the purchase and renovation of this house was close to \$1.3 million, or \$318,000 per apartment unit.

These apartments house women and their children who have been in a shelter situation, in most cases women who have been battered. Given that thousands of women and their children are desperately waiting for shelter assistance in Ontario today because of a lack of funds, do you think it makes sense to spend \$1.3 million for four apartment units on Waverley Road?

**Hon Bob Rae (Premier):** I'd like to ask the Minister of Housing to answer that.

**Hon Evelyn Gigantes (Minister of Housing):** The project the leader of the third party is referring to is one that received an allocation from the Ministry of Housing as a non-profit project—

*Interjection.*

**The Speaker (Hon David Warner):** Order, the member for Yorkview.

**Hon Ms Gigantes:** —back in 1989. The property was purchased for \$221,610. Following a long series of discussions, if I can put it that way, with the neighbourhood and planning changes, renovations and so on, which reduced the number of units in the project from eight to four, the project was given approval in 1991. It was over the maximum unit price. It was decided to go ahead with it because of the nature of the project. It is a small project and it does provide services for people who are difficult to find housing for in the city of Toronto. It is over the maximum unit price.

**Mr Harris:** Absolutely nothing for sale under \$300,000 in Toronto, nothing for rent under \$3,000 a month: Is that what you're telling this house? A real estate agent told us you can buy three-bedroom fully detached homes far cheaper than the cost of one of those units. Individual apartments, because of the high capital cost, have an operating subsidy of \$2,952 per month per apartment unit. Minister, that is more than twice, in many cases three times, the value of market rents in the same area. In other words, you could house two or three times the number of families for the same amount of money.

I would ask you how you defend this waste to the thousands of women and their children who are sitting on waiting lists because you don't have the money for shelter subsidies.

**Hon Ms Gigantes:** You're not going to hear me try and say that these are not expensive units. They were expensive units. I want to point out to the leader of the third party, if he didn't hear the first time, that the land and the building were purchased for over \$221,000. In fact, the reason for the delay and the increased costs was unexpected costs of renovation, which can happen in an acquisition.

The renovations were very extensive, but a major cost of the increase in this project was neighbourhood opposition. There is a high price to be paid for neighbourhood opposition. This was neighbourhood opposition, as the leader of the third party points out, to the proposal to have eight units to serve women and children in a neighbourhood where it would be very suitable to provide that service.

**Mr Chris Stockwell (Etobicoke West):** Why didn't you get the tenant before you bought it? It's called an option.

**The Speaker:** Order, the member for Etobicoke West.

**Hon Ms Gigantes:** It forced a reduction to four units, which naturally increased the cost on a per-unit basis. I'd like to know what kind of attitude the leader of the third party would have towards people who objected to an eight-unit renovation and caused that kind of cost increase. Do we in fact give positive reinforcement to that behaviour by backing out?

1410

**Mr Harris:** A hundred thousand dollars in architectural fees because of neighbourhood opposition? It's because of incompetence. It's because you've got the wrong people involved in housing. You've got people who know nothing about buying or building or construction; ie, you and your government cronies.

Let me ask you this: My office spoke with a transition home in North Bay this morning. They have a waiting list for helping battered women and their children. This is not unique; it is all across the province.

They are crying out for additional funding, yet your government continues to waste scarce resources on examples such as this one. It's not an isolated example.

Isn't it time you put an end to the incompetence of government building more and more, buying, renovating more and more at these outrageous prices, and came forward with a shelter subsidy program that could help two and three and four times the numbers of battered women and their children who are sitting now on waiting lists?

**Hon Ms Gigantes:** The leader of the third party has raised this kind of question before. He has a particular example that he wants to raise today of an eight-unit development that was slowed down by neighbourhood opposition which, I'll put to you, Mr Speaker, was unjustified.

*Interjections.*

**The Speaker:** Order.

**Hon Ms Gigantes:** He is proposing in his question that there is only one way to do things in Ontario to provide housing for people who need assisted housing, and that is to provide what he calls rent subsidies.

In this province, by far the largest amount of money that we spend in providing assistance for people in housing is through the shelter subsidy component, the shelter allowance component, of our social assistance system, where we spend \$2.5 billion a year and where we provide subsidies to 40% of the landlords, 40% of the units in this province's private rental market.

*Interjections.*

**Mr Harris:** Some \$2,952 per month per unit.

**The Speaker:** Order, the leader of the third party.

**Hon Ms Gigantes:** He needs to understand a little bit about what happens in housing in this province, and if I keep telling him, maybe he'll understand. And I'll keep telling him.

**The Speaker:** The Leader of the Opposition with her second lead-off question.

#### POLICE COMPLAINTS

**Mrs Lyn McLeod (Leader of the Opposition):** My question is for the Solicitor General. Over the past few days we have been hearing alarming allegations about inappropriate strip searches. The allegations are indeed very disturbing and they raise serious concerns in the minds of the public about what rules are in place for the use of this very intrusive procedure.

Minister, can you tell us what responsibility you feel you have for ensuring that the rules for use of strip searches are clear and that they are indeed being followed?

**Hon David Christopherson (Solicitor General):** It's a very broad question. Let me answer by saying that my ministry is responsible for the overall administration of policing in the province of Ontario. Much of the

authority for directing chiefs is with police services boards. The authority for the day-to-day operations is of course vested with the chiefs and the senior officers. Our ministry provides the standards and the directives and the guidelines for the various procedures that we expect the police services boards to adopt and to ensure that the police chiefs are indeed following.

This matter is obviously as disturbing for us, as it is for the opposition. The allegations are very serious. The Attorney General has responded in terms of her concerns about timeliness and fairness, and I would look to the supplementary questions for a further comment.

**Mrs McLeod:** Thank you, Minister. I appreciate your recognition that you do indeed have a clear responsibility, as the chief enforcement officer in the province, to ensure that these kinds of guidelines are in place, and I believe the public has a right to know that there are clear guidelines and policies in place. I also would think that the police want to be assured that their policies are adequate and that they are appropriate.

You have acknowledged the role that local boards will play. I would ask very specifically if you can assure us that you are aware of the procedures and the policies that are in place in local jurisdictions across the province, that you are aware of the protocols that are in place for carrying out strip searches, and can you tell us whether you believe, as the chief enforcement officer of the province, that these policies and guidelines are adequate?

**Hon Mr Christopherson:** The officials in my ministry are obviously there to review the detailed standards. There are well over 100 police services boards, as well as the OPP, and each of them has different procedures to meet the standards. We have a division within the ministry, as the honourable member knows, that is responsible for developing the standards and working with the police services boards to ensure that the standards are being met. These are constantly being reviewed in the context of the Police Services Act. New standards are constantly being developed and, I might add, in some areas we're world leaders in the standards we're developing and implementing.

By and large, I would say I am very, very proud of the work that the police services boards and our police do in dealing with the day-to-day issues that happen on the streets of Ontario, but there's always room for improvement and we're constantly working with the police services boards and the chiefs to improve the standard of service that we have in Ontario.

**Mrs McLeod:** Minister, I thought I had heard you acknowledge in your answer to my first question that you did indeed feel that you had a responsibility as chief enforcement officer to ensure that there were adequate policies and procedures in place in every jurisdiction across the province. I take you back to my belief that the allegations of recent days have raised

some very real concerns in the public mind about just how adequate the procedures are governing this particular procedure. You do have an opportunity to provide that reassurance. You have an opportunity to take leadership on the issue. In fact, you not only have the power to ensure that adequate policies exist and that they're being enforced, you have the power to issue directives to police forces if you feel that the policies are not adequate as they currently exist.

I'm calling on you today to review the local policies that exist, to accept that personal responsibility for assuring the public of Ontario that there are adequate policies in place and that they're being followed. I ask whether you will commit to carrying out this review today and at the conclusion of the review to determine whether there is a further role for provincial policy and guidelines to be put in place on this matter.

**Hon Mr Christopherson:** Let me say very clearly to the honourable member that I and this government take all such matters extremely seriously. I believe we need to look to the role of the civilian oversight body and the extraordinary powers it has in this regard. The public complaints commissioner has the authority to make directions or recommendations to me as they might apply province-wide, which indeed, if it's necessary in the current cases, will be part of the final deliberations as appropriate.

Let me say that I take this matter very, very seriously and we will be closely monitoring the situation. We need to allow the public oversight body the opportunity to do the job it's in place to do, but you have my assurance that we constantly review these kinds of matters, we take recommendations from the commissioner very, very seriously, and anywhere we can improve the service to the people of Ontario, we will take appropriate action.

#### BUSINESS PRACTICES

**Mr Steven W. Mahoney (Mississauga West):** In the absence of the minister, I'll direct my question to the Premier. As you know, there are about 50 Pizza Pizza franchisees who were outside the Legislature this morning protesting the lack of laws protecting them from what appears to be rather one-sided, arbitrary treatment by their head office.

The franchisees have stated that the head office is treating them unfairly, misspending their money and throwing them out of their stores. These small business people have invested their life savings and in fact have mortgaged their homes to the hilt to buy these businesses. Pizza Pizza has even hired a convicted con man to oversee the company's operations, and the franchisees were not told that this man was coming directly out of jail to run the company.

1420

There are no rules governing franchises. It has been

referred to as the wild, wild west of the business world. Your minister has repeatedly refused to bring in any legislation to try to help these people or to even deal with them on an individual basis to try to help them.

There is clearly a problem within the franchise industry, identified as long ago as 1971, when a legislative committee said in a report, "We believe that the evils cry out for some control."

What do you say to the 50 Pizza Pizza franchisees who are losing their homes and in some cases their families over this terrible treatment by a ruthless head office?

**Hon Bob Rae (Premier):** The minister isn't here, as the member has indicated. I was aware of the fact that the people were here today, and obviously I've been following the allegations that you have repeated today with respect to the situation at Pizza Pizza and have been following them with a great deal of interest and concern.

There are a couple of points I would make. The first is that I don't want to say anything that would reflect on whatever legal action is now being taken, and I'm not entirely certain what that is. I don't have any music with me that would indicate that, so I want to be sure I don't say anything that's going to prejudice that in any way, shape or form. I know the honourable member would understand my caution in that regard.

Also, I would have to exercise some caution with respect to some of the descriptions, as colourful as they are, that the honourable member has used in the House, and would be interested to see whether he makes similar kinds of statements elsewhere.

I would say to the honourable member that the one thing he has said that is of concern to me is that the ministry or the government has absolutely refused to look at legislation. That is an untrue statement. We are obviously reviewing all of the consumer and commercial legislation and that review is ongoing.

I would simply say to the honourable member that he's right; there have been concerns raised for many years. He was an active member of a government for five years that did zip on this subject.

**The Speaker (Hon David Warner):** Would the member conclude his response, please.

**Hon Mr Rae:** We are obviously looking at what can be done realistically to deal not only with this particular problem, which is a particularly difficult and emotional one, but also with some longer-term concerns that are there because of the changes in business practices and business organization and the way in which the economy is organized.

**Mr Mahoney:** Well, you know better than I what you can say in this place and repeat outside this place. You have a great deal more experience in that particular matter than I do. Let me tell you, Premier, you can also

respond with certain humorous anecdotes about this, but it's not very funny to those people and their families. I notice the somewhat sly look on your face about some of these issues. It's not very funny.

*Interjections.*

**The Speaker:** Order.

**Mr Mahoney:** Well, go ahead. These people are losing their homes, their businesses, their families, their life savings and you people go ahead and act that way.

My supplementary to the Premier is that there are reports that some \$8.5 million of the franchisees' money has been squandered over the last five years. There's also a human cost involved, which I've referred to, and this week several franchisees were threatened with imminent seizure of their stores.

I want to share with the Premier a letter to one of our members from one of these franchisees, a letter dated September 22 in which he says, "I have owned a Pizza Pizza franchise for five years in North York and I was told today, September 22, that I must vacate my store premises by 10 am, Tuesday, September 28." That's six days' notice to vacate a store that he has owned for some five years. He goes on to say, "Time is running out for me, and unless something is done within the next six days, I will lose my store."

**The Speaker:** Would the member place a question, please.

**Mr Mahoney:** He refers to the 50 people who are being affected by this very arbitrary, very callous treatment by the Pizza Pizza head office.

Premier, I will admit to you that since 1971—

**The Speaker:** Does the member have a question?

**Mr Mahoney:** —successive governments have not tackled this issue. You are supposed to be the champion of the little guy. These are small businesses. They're losing their life savings. Will you instruct your minister to meet with these 50 franchisees immediately to draft regulations to ensure that this kind of treatment is not allowed to take place in the small business community in this province and to find ways to help these people not to lose their homes—

**The Speaker:** The member has placed his question. Would the member please take his seat. Premier?

**Hon Mr Rae:** The short answer, I guess the shortest I could make it, is that first of all I don't accept for a moment the member's statement that somehow there was anything sly in my response; quite the opposite. I was trying to be careful, because I feel that's part of my responsibility with respect to whatever legal action is now under way, and I have to be careful about that.

I would say to the honourable member that this is an issue that has been discussed in the House on a number of occasions. There are a number of views even among franchisees themselves with respect to the desirability of

across-the-board regulation, and this is a very live issue with respect to the matter in the province. The minister, as well as the Minister of Economic Development and Trade and those ministries have been involved in discussions, not only obviously arising from the series of articles that is in one of the daily newspapers but also in terms of the immediate issues that are there. I can assure the honourable member that we will want to continue that very active review, and I know the minister will also want to be meeting with the particular people you've mentioned.

I can't accept the allegation that in responding in this way, the government—we don't have a magic wand instantly to wave, but the member has raised an important issue. The issues are out there and, obviously, if there are significant abuses in the marketplace and they appear to be systemic and reflective of a broader problem—

**The Speaker:** Could the Premier conclude his response, please.

**Hon Mr Rae:** —we will have to deal with a broader solution, even though there are many in the House who would decry the introduction of legislation.

#### AUTOMOBILE INSURANCE

**Mr David Tilson (Dufferin-Peel):** My question is for the minister responsible for automobile insurance, who I believe is still the member for Hamilton Mountain. Since your government came to power, you have continually promised us that there would be lower rates in auto insurance, notwithstanding the fact that in the last provincial budget your Treasurer established a 5% tax on auto insurance premiums, and currently the Ontario Insurance Commission is allowing insurers to increase rates under the existing OMPP from 5% to 6%. That to date is a total of 11%.

I've been informed that you've finally finished the regulations on your new legislation, which of course you rammed through both committee and this House without full debate. I understand that you've promised insurers that they can increase their rates by a further 5% over the 11% that's being currently charged if they fast-track approval to your regulations. What you are saying to the insurance companies is that if they close their eyes, hold their nose and accept your regulations, you will give them money. I think there's a word for that.

My question: Is it true that you're enticing the insurance companies to rush through approval of the regulations by offering them a further 5% rate increase after promising this entire House and the people of this province that there would be no auto insurance premium increases in this province?

**Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader):** The member poses an interesting question, although I

must say that I think his memory is very short, with a number of clips out of it in the middle. I say to the member two things.

First, one of the clips he left out was that this minister delivered a reduction in auto insurance premiums in this province in the fall of 1991 to the tune of 5% across the board. They don't like to talk about the fact that that reduction happened; they like to forget it exists.

Second, the member refers to increases that are happening this year under OMPP, under a plan which was introduced by the Liberals, which, for the purposes of their re-election, they wanted to make the people believe would solve the cost-crunch problems in this province, which hasn't, but which both of the opposition parties said clearly during the debate on Bill 164 they wanted to continue. The actuarial studies on OMPP show that if we didn't proceed to do something, costs over the next several years would be escalating at an average of about 10% per year.

Lastly, in response to the last part of the member's question, I have been saying for some two years now that the actuaries who costed our plan for us suggested average cost increases by that plan of about 4.4%.

1430

**Mr Tilson:** I think if you add up what I've just said with the figures that you simply are not disputing, you're already up to 15%, and your answer gives no justification as to why you're proceeding with Bill 164.

Minister, your plan of rate increases, allowing for 5% for these people who purchase full insurance packages—many people do not purchase full insurance packages, and that includes particularly the seniors in this province who don't buy collision, those people who rarely drive or those people who have older cars. They do not buy the collision packages, so they don't buy the full packages. Those people will be charged a rate of 8% to 9% increase in auto insurance rates. This means that senior citizens will have rate increases of 20% as the result of your package that you're putting forward in Bill 164. Don't you think that you've already done enough harm to seniors?

We had a statement in the House earlier about insurance being charged to the seniors out of this province. We've seen how their drug-purchasing ability is going down the tubes because of the policies of your Health minister, one more attack on the seniors of this province. Why are you doing this?

**Hon Mr Charlton:** I simply repeat some things that I've said a number of times here in this House. Firstly, I repeat that the increases that are happening this year are a result of current legislation that was passed in 1990, legislation which both of the opposition parties have suggested we should leave in place, legislation which all of the actuarial studies done by the industry

show will increase at an average rate of 10% a year for the next several years. There is no year, under the direction we've taken, in which the increase will even reach 10%, let alone 20% in one year. There is no year in which that will happen.

The reality of the question the member raises is that the increases that are happening this year gain nothing for anybody. They are for the coverage that they already have. The increases that are associated with Bill 164 are increases that deliver extra coverage and extra protection to the very vulnerable people the member refers to.

#### FERRY SERVICE FEES

**Mr Gary Wilson (Kingston and The Islands):** My question is for the Minister of Transportation. I'm sure the minister shares my gratitude to the Leader of the Opposition for raising a question yesterday about the Wolfe Island ferry. I do want to point out to the leader, though, that if she plans to go to Wolfe Island, it will take considerably longer than the five minutes that she mentioned in her remarks yesterday; it's more like 25 minutes. But you're certainly welcome to come over to Wolfe Island. I know you'll enjoy the trip.

Some of my constituents who live on Wolfe Island are angry that they will have to pay a fare for the ferry service to the mainland for the first time in 30 years. They say that introducing the fare is the same as imposing a toll on a provincial highway because the ferry route is a continuation of a highway.

*Interjections.*

**The Speaker (Hon David Warner):** Order. Would the member for Kingston and The Islands please take his seat.

*Interjections.*

**The Speaker:** The member for Kingston and The Islands.

**Mr Gary Wilson:** I know the members of the House would like to find out some answers to this question, judging by the level of interest, so I hope they'll let me continue.

My constituents say that the cost will be onerous on families because there are so few services on Wolfe Island. Islanders must go to the mainland for all their health and dental care, their shopping, to go to high school, to play sports and some even to go to church. In other words, they are almost completely dependent on the mainland and completely dependent on the ferry service to get them there, and the cost is very high.

My constituents say that it's unfair because they will have additional costs while their property values go down. Some say they will no longer be able to afford to live on Wolfe Island and the few businesses that operate on the island will close or relocate.

Will the minister say why he is imposing this additional burden on a fragile community when most people are already struggling through a tough economy, and

will the minister respond to my constituents' concerns about fairness and community survival?

**Hon Gilles Pouliot (Minister of Transportation):** I want to thank the member for his ongoing concern vis-à-vis what is a serious situation.

Charging a fare on a ferry boat is not without precedent in the province of Ontario. It's been going on for decades. What we strive for is equity and fairness. We operate 14 services across the province, 23 ferries. There are three of them at present, for some political reasons, that have yet to charge a fee. The province pays 100% of capital. The province is trying to recoup anywhere between 20% and 30% of operation. It's called user-pay. It's unfortunate. We have a responsibility to the people of Wolfe Island; we also have a responsibility to all users and all Ontarians. With respect, they're subsidizing the ferry system in the province of Ontario.

**Mr Gary Wilson:** In talking to my constituents on Wolfe Island about the fare, I am convinced that many islanders face a hardship because of the daily expense. Some estimate that paying \$3.50 a day return could cost some families \$3,000 a year or more. Adjusting tight family budgets at this time is too difficult for many islanders. How does the minister propose to help those facing hardship because of the proposed fare? Will he agree to phase in the fare, for example, so that families have time to adjust their budgets?

**Hon Mr Pouliot:** Words of wisdom indeed. We at Transportation have a responsibility to conduct an impact study. You don't want to pick the people's pockets; equity, fairness and a step-by-step approach so people will not be the victims of an undue financial burden. We're looking at it. But I want to remind the member, with the highest of respect, that in his riding, right beside the ferry going back and forth to Wolfe Island, there are shorter distances, and people pay. What we're trying to say is, let's ease the burden; let's treat everybody the same. Fairness and equity is our motto.

#### EDUCATION FINANCING

**Mr Charles Beer (York North):** My question is for the Minister of Education and Training. While he returns to his seat, perhaps we could welcome him back to the House from his meetings with the council of ministers.

Last night, at its regular board meeting, the Metropolitan Toronto School Board passed the following motion:

"Whereas the public school boards in Metro Toronto have been asked to send the savings realized from the social contract process to the provincial government; and

"Whereas the province does not provide funding for the public boards in Metro to operate their education systems; and

"Whereas the ratepayers in Metro Toronto have clearly and definitively expressed the view that property taxes raised for education in Metro should not be sent to the provincial government,

"Therefore, be it resolved that the Metropolitan Toronto School Board supports the view that savings realized through the social contract remain in Metro."

Minister, I understand the amount involved is about \$41 million and that also last night the board requested an urgent meeting with you. Can you tell the House today that you will meet with them as soon as possible?

**Hon David S. Cooke (Minister of Education and Training):** A meeting had already been set up with the chair of the Metropolitan school board. I've already met with Ann Vanstone on this issue a couple of times and another meeting had already been set up, so of course there will be a meeting.

I think it's important for the member to understand that through this whole process of the social contract and the expenditure control plan, when every other school board in this province had to cut back on spending because we cut back on our expenditures through the expenditure control program, the Metropolitan Toronto public school board had absolutely no impact, because there were no cutbacks. Then there was the social contract and Metropolitan Toronto is saying, "We shouldn't be impacted with the social contract either."

The fact of the matter is, even during these difficult times, Metropolitan Toronto has more resources than any other school board in this province, and it's a matter of justice and a matter of equity for education for all of the kids in this province. If you're advocating that other areas of the province should pay more so that Metropolitan Toronto doesn't have to pay at all, then this government fundamentally disagrees with you.

1440

**Mr Beer:** The hypocrisy that lies in that answer, from a minister whose government has shown no consideration—

**The Speaker (Hon David Warner):** The member for York North. That's very surprising coming from the member for York North. I know that he would like to rephrase what he's just said.

**Mr Beer:** I withdraw whatever it was I said that caused concern.

What I want to be very clear on to the minister is that what is of real concern to Metro Toronto, and indeed to Ottawa, is that the large cities in this country—and here we're dealing with the two big ones in Ontario—are facing real and unique problems, problems that go way beyond what many others are facing, and where they need dollars to deal with those problems.

The province pays no money to Metro Toronto. They have capital programs; they get no money. What Metro is saying is: "We have to deal with expanded programs

for immigrant adaptation and ESL programs. We have to deal with violence in the schools and develop meaningful programs. We have to build new schools and add to the schools that we have. We have to take in kids from other parts of the province because of the special programs that we have." In addition, Metro itself is looking at cutting some \$150 million out of its own budget and may have to stop its capital program, which is going to provide 10,000 needed jobs in Metro Toronto.

What they are asking is not for you to give back money that is yours, but that the money raised from Metro property taxpayers be used here in Metropolitan Toronto so that they can face and deal with their own problems. That's what they're asking.

Minister, will you make a commitment to meet with them and ensure that their needs are met?

**Hon Mr Cooke:** The fact of the matter is that through the social contract process there is not one dollar that's being taken out of the classroom, and he knows it. Through the controls in the social contract legislation, the \$41 million that would come back to the province would have a neutral impact on the school board, because they're saving money as a result of the wage legislation and the freezing of the grid and so forth.

The fact is that of course this government understands that there are additional resources required in a community that has as many challenges as they do in the classroom. They spend over \$8,000 per student in this community, compared with other communities that spend just over \$4,000. Maybe one of the things that the Metropolitan Toronto School Board needs to take a look at is how much money is going into administrative resources and school boards that don't even run schools. Maybe that's what should be looked at in this community to save money and provide more resources to the kids in the classroom.

**The Speaker:** New question, the member for Don Mills.

**Mr David Johnson (Don Mills):** I have a question, again to the Minister of Education, on the same topic.

I can attest to the fact that the Metropolitan Toronto School Board deals with a number of very unique types of issues: single-parent families, children from many different countries who do not speak English. But the main point here, and I'm not sure if the minister understands this, is that the Metropolitan Toronto School Board is saying it is aware that the costs of education have to be cut. They are cutting the cost of education. They have made those cuts. They will recognize the savings in the social contract. But the most important point is that they feel that money should be returned to the taxpayers who paid in the first instance.

The question that I would ask you to address is, do you agree? Will you let the Metropolitan Toronto School Board give the money back to the taxpayers who paid the money in the first place? Metropolitan Toronto taxpayers paid that money. Will you allow the Metropolitan Toronto School Board to give that money back to those taxpayers?

**Hon Mr Cooke:** First of all, the member should understand that it's not as if the Metropolitan school board does not get any money from the provincial government. The fact of the matter is that \$93 million is paid by the provincial government for the pension plan for all the teachers who work in Metropolitan Toronto. So it's not as if there is no contribution.

Secondly, if we were to follow the honourable member's suggestion, I would ask him to go and talk to the chair of the Catholic school board in Metropolitan Toronto and ask her what her position is and what impact his suggestion would have on the Catholic ratepayers in this community, who would then have to lower their taxes to maintain equal property taxes for the Catholic and public school ratepayers, which would be very destructive to the Catholic school board.

You can take the position you're taking, but you also have kids and ratepayers in your community who go to the Catholic school system. There's a letter that's on record, that has been sent out to the public from the Catholic school board, and I quote: "If the Metropolitan Toronto School Board does not turn over moneys collected and negotiated through the province's social contract, it will be another example of one wealthy board deliberately failing to recognize the education funding equalization." Go talk to your trustees on the other school board.

**Mr David Johnson:** There has already been a precedent set in this regard. This government has permitted the utilities across the province of Ontario—and rightfully so, I must say; I support the government in this—to apply the social contract savings against their own hydro rates next year to keep those rates down. The Metropolitan Toronto School Board and the Ottawa school board are simply asking for the same consideration.

If you ask the taxpayers what they think about this, first of all, Metropolitan Toronto, about eight to one, supports that the money should go back to those who will pay for it. Secondly, the taxpayers are certainly telling us that there's not a revenue problem; there is a spending problem with this government. They're concerned that what we have here is simply another way for the government to raise taxes, in this way, an indirect way, through the municipal property assessment base.

My question to you, Mr Minister: Is this a signal that this government intends to introduce pooling for education taxes? Is this a signal that this government intends

to infringe in the future on the municipal property assessment base?

**Hon Mr Cooke:** Again, I ask the member to go speak to the other school board in his community and understand that there is a very real issue in terms of making sure that the mill rates are comparable, and the impact that your suggestion would have on the Catholic school system in Metropolitan Toronto, which also has a fair number of your constituents attending that system as well. You might want to go hear the other side of the story.

In terms of province-wide pooling, we are looking at the question of education finance reform. You ask me what our position is. We haven't got a policy at this point. The issue is being reviewed. Maybe at some point you can tell us whether you still support Bette Stephenson's position when she was Minister of Education, where she did talk of proposed province-wide pooling many years ago. That used to be the position of the Tory party; I don't know what it is today.

#### HOUSING PROGRAMS

**Mr David Winniger (London South):** My question is directed to the Minister of Housing. In my riding of London South there are a number of housing access programs such as the Partners in Housing program and the access to permanent housing program. These programs received funding from the Ministry of Housing in the past, but have been told they will no longer receive permanent funding. There is a concern about what can be seen as cuts to our home-sharing agencies.

Minister, could you explain what has happened to the grants program for community-based housing activities and what steps have been taken to ensure people receive the housing services they need?

**Hon Evelyn Gigantes (Minister of Housing):** I'd be pleased to do that. Last year, we had about 11 small community-based programs that included everything from education for landlords to training for municipal officials and so on, and there was funding for community partners-type programming of the kind you mentioned. Home-sharing programs were part of that.

We have now consolidated all these programs, and with reduced funding, about \$4 million less—the funding is now just over \$7 million—we have asked the service groups that are providing education and direct assistance to people to find access to affordable housing in their communities, and that provide advocacy services on behalf of such people, to consolidate their efforts within communities.

We've managed through this and with the cooperation of the organizations at the community level to be able to provide a more consistent level of service at the community base across the province. Areas which hadn't had funding before now have services. In some cases, home-sharing programs have not received fund-

ing. In other cases, in eight out of 17 cases, in fact they have become the core of an expanded housing service at the community level.

1450

#### MOTIONS

##### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon Brian A. Charlton (Government House Leader):** I move that, notwithstanding standing order 96(h), the requirement for notice be waived with respect to ballot item 25.

**The Speaker (Hon David Warner):** Is it the pleasure of the House that the motion carry? Carried.

##### COMMITTEE SUBSTITUTIONS

**Hon Brian A. Charlton (Government House Leader):** I move that the following substitutions be made to the membership of the following standing committees: on the standing committee on estimates, Mr Hayes for Mr Jamison; on the standing committee on finance and economic affairs, Mrs Haslam for Mr North; on the standing committee on the Legislative Assembly, Mr Dadamo for Mr Farnan and Mr Sutherland for Mr Owens; on the standing committee on the Ombudsman, Mr Cooper for Mr Drainville and Mrs Haslam for Mr Morrow; on the standing committee on public accounts, Mr Bisson for Mr Farnan and Mr Owens for Mr Hayes.

**The Speaker (Hon David Warner):** Is it the pleasure of the House that the motion carry? Debate?

**Mr James J. Bradley (St Catharines):** I find this a bit of a strange motion, which is why I want to speak to the motion. I understand fully why, for instance, on the standing committee on finance and economic affairs, Mrs Haslam is replacing Mr North. Mr North has decided to leave the New Democratic Party because he no longer agrees with it and is now sitting as an independent, so that's certainly understandable. I understand why Mr Cooper is replacing Mr Drainville on the standing committee on the Ombudsman, because Mr Drainville has left the New Democratic Party to come to this side of the House and is now running as an independent in the federal election.

But I really cannot understand why Mrs Haslam is replacing Mr Morrow on the standing committee on the Ombudsman, because Mr Morrow, I believe, if my memory is correct, is the Chair of this committee, and the report I have from people who sit on the committee—certainly the members of both the Liberal Party and the Conservative Party have indicated that he has been a fairminded Chairman, in their estimation, that he has conducted his responsibilities in an appropriate fashion, and it makes me wonder why the government would want to replace him as the Chair of that committee.

I was reading this book the other day—my colleague the member for Renfrew North has the book and may

be able to quote from it—and I noted in this book I was reading by Mr Roberts and Mr Ehring that in fact dissent is not brooked within the New Democratic Party.

It seems to me that just as Mr Kormos was replaced because he happened to make statements which were not entirely with keeping with the New Democratic Party—

**Mr Murray J. Elston (Bruce):** No, no, with Bob Rae.

**Mr Bradley:** —and because he annoyed the Premier, and I recall my good colleague the member for Lincoln, wonderful gentleman that he is, voted against the government on the tobacco tax because he felt that it would be damaging to some of the rural people in Ontario, and he was turfed from that committee—what do they make, \$10,000 extra? He lost his \$10,000 extra. He was in the penalty box for a little while and then he was allowed to come back in when he did his penance and he's now back in the good books of the government.

But here we are. The Premier obviously has dictated this, because this is how it works. The Premier has said that the member for Wentworth East is not prepared to simply be a puppy dog. He's prepared to buy his own lunch when they go to palatial places to meet. He buys his own lunch, pays for his own hotel room and doesn't always agree when the government breaks its commitments that it has made to the voters during an election campaign, because he's a long-time New Democrat who obviously believes very strongly in the policies of the New Democratic Party.

I know, on automobile insurance, he went from one end of Wentworth East to the other speaking in favour of the NDP position on government automobile insurance. There are a number of other issues. He voted against the social contract, I believe.

Despite the fact that members of the government, and particularly the Premier, talk about giving more power to the individual members of the Legislature, about making the elected people supreme to those who are simply the unelected advisers to the Premier and the unelected civil service, we now find that when a person is going to show some degree of dissent from the government, the guillotine is applied.

It seems to me that we are going back a few centuries, a couple of centuries at least, to France. I saw Les Miz here in the city and this reminds of it. The guillotine was eventually going, and we have the guillotine being applied once again to the member for Wentworth East.

Now the member for Wentworth—

**Mr Elston:** North.

**Mr Bradley:** North—I've been reading the Hamilton Spectator and other publications, and the member for

Wentworth North and the member for Hamilton East I think were disagreeing on something—

**Mr Elston:** Wentworth East.

**Mr Bradley:** —Wentworth East and Wentworth North were disagreeing on something.

**Mr Sean G. Conway (Renfrew North):** No, no. The member for Wentworth North simply said that the member for Wentworth East wasn't pulling his weight.

**Mr Bradley:** The member for Wentworth North accused, it said in the Spectator—

**Mr Conway:** Highly accusatory.

**Mr Bradley:** —accused the member for Wentworth East of not doing his job appropriately. I wish I had the paper here today; I had it at one time.

**Mr Conway:** You have another Spectator.

**Mr Bradley:** The only Spectator I have now is a Spectator that says: "NDP Collapse Shock: Poll Pegs Local Support for Party at 4%." I think the member for Wentworth East is trying to get that up from 4% and he's trying to bring the New Democratic Party back to its roots.

*Interjections.*

**Mr Bradley:** I must say that though some of my colleagues are smiling and making me smile, I lament the fact that democracy appears to be again under assault, that openness of debate appears to be under assault in this House. I lament the fact that the Premier will tolerate no dissent and that he's now going to fire the member for Wentworth East simply because he's standing up for what he ran for and for NDP policy.

*Interjections.*

**The Speaker:** Order. Further debate?

**Mr Conway:** I just want to join my friend from St Catharines in an observation about this particular motion. I think the member is right in pointing out that a number of the substitutions are quite understandable.

It's hard to contemplate that Mr Drainville, actively campaigning as he is up in Victoria these days, could continue in his duties here, and Mr North, of course, has chosen to do other things as well within the context of this assembly.

But we are struck by the motion that the government House leader has put, essentially removing—

*Interjection.*

**Mr Conway:** Pardon me?

**Mr George Mammoliti (Yorkview):** I'm not talking to you.

**Mr Conway:** —Mr Morrow from the standing—

**Mr Stephen Owens (Scarborough Centre):** Must be the glasses.

**Mr Conway:** It is the glasses, actually. But there is an air of incredulity, I say very seriously to the member from Scarborough. I've stood here for 18 years and I've

been lectured to by Stephen Lewis and Donald Macdonald and the most sainted of all, Bob Rae.

**Mr Robert W. Runciman (Leeds-Grenville):** How about Michael Cassidy?

**Mr Conway:** Bob Rae and Michael Cassidy—well, Michael Cassidy was—we've been lectured to repeatedly about the old-line parties and their altogether too rigid view of party discipline. Now we've got Mr Owens, one of the enforcers, looking angelic and incredulous at today's happenings.

As the member for St Catharines observes, this is not the first time we've seen this. I will congratulate the government House leader. He's got it right this time. He's wrong, but at least he's doing the wrong thing the proper way. Last time, do you remember the pathetic effort to dump Kormos from the standing committee on resources development? My constituents figure that a government that can't run a moose lottery, can't figure out that the Wolfe Island ferry is part of the integral transport system of eastern Ontario, can't figure out how to even properly dump its own, is not a gang that is likely going to effectively kick-start and manage the Ontario economy.

1500

**Mr Paul Klopp (Huron):** You guys sat on that committee.

**Mr Conway:** Now we have the member for Huron speaking. I simply want to make the point that you did this last time to Kormos and you got caught because you didn't even know how to go about it properly. So I guess you deserve some credit in your third effort, at least your third effort, to discipline members of this caucus who have dared to dissent from the Bob Rae-Ross McClellan order of the day.

**Mr Owens:** Don't forget Steve Owens.

**Mr Conway:** Well, no, you're not in their category. Don't you put yourself so high in the pantheon of NDP power.

**Mr Charles Harnick (Willowdale):** I don't know why anybody would want to climb that high.

**Mr Conway:** Well, it's not a question of climbing high. My friend from St Catharines pointed out that—

*Interjection.*

**Mr Conway:** I know how to what?

**The Speaker:** Order, the member for Chatham-Kent.

**Mr Conway:** Listen. I'll tell you, I've got my sins—

*Interjection.*

**The Speaker:** The member for Chatham-Kent is asked to come to order.

**Mr Conway:** You can say all you want. I am simply here to hold the NDP accountable for what it's doing relative to what it said it was about. You have, for the third time in as many years, with this motion—

**Mr Bob Huget (Sarnia):** How would you know?

**Mr Conway:** How would I know? I have not only got—

**Mr Huget:** Don't give us lectures about our policy.

**Mr Conway:** At the end of the day I want to say to my friend from Sarnia that I am not now just making a comment based on the evidence that your government is providing, and at 6% of the vote I can understand how in Chatham and Sarnia my friends are feeling the heat.

*Interjection.*

**The Speaker:** Order, the member for Sarnia. Would the member for Renfrew North—

*Interjections.*

**The Speaker:** I ask the member for Sarnia to come to order, the member for Chatham-Kent as well, and it might be helpful if the member for Renfrew North directed his comments to the Chair.

**Mr Conway:** I have in my hand, and I am therefore debating, a motion from the NDP government House leader, which motion dumps one of the NDP members from the membership of and the chairmanship of the standing committee on the Ombudsman. My colleagues in the Liberal Party tell me that the member for Wentworth East has apparently done a good job in that responsibility.

What the member for Wentworth East has done, clearly, is that he has publicly repudiated some of the more outrageous policies of his government, and for that independent posture the member for Wentworth East is today being dumped from his position on the committee on the Ombudsman.

If this were the first time this was happening from a party which said it believed in a greater and more independent role for the Legislature, I would, I say to my friends from Chatham and Sarnia, be quite prepared to grant a greater latitude and understanding. But we have this spectacle for the third time now. The member for Lincoln was dumped, and dumped summarily, for taking an independent position a few years ago around a budget initiative, the Tobacco Tax Act. A year ago, the former Minister of Consumer and Commercial Relations, the member from Welland, was improperly and unceremoniously dumped from the standing committee on resources. Today we have another example.

And this was the New Democratic Party. This is the party that was going to be different. By their own protest that I've heard for years, they were better and they were different. They seem to think it's just a bunch of Liberals castigating them on partisan grounds. Well, the member—

*Interjections.*

**Mr Klopp:** I don't have to think that; I know that.

**The Speaker:** Order, the member for Huron.

**Mr Conway:** The member for St Catharines is right. I did spend some time recently reading some books, one of which was the Ehring and Roberts book, *Giving Away a Miracle*. In this book by two prominent Ontario New Democrats, not Liberals, there is a chapter in part I about the 10 deadly sins of the New Democratic Party. One of the deadly sins, something to which the member for St Catharines referred, is dealt with in a subchapter entitled “The No Dissent Party: ‘Democratic’ Isn’t the NDP’s Middle Name.”

**Mr Huget:** Read the Patti Starr book.

**Mr Conway:** That’s not Conway speaking; that’s not even Bradley speaking. That is the opinion of two long-time NDP members who have given the province and the country their insight into the inner workings of the New Democratic Party.

**Mr Kimble Sutherland (Oxford):** That’s stretching it a bit.

**Mr Conway:** Well, George Ehring; I know George. He worked here for a number of years serving Mr Richard Johnston, someone who, we all know, is a pillar in the New Democracy.

**Mr Mammoliti:** What does Patti say? I want to know what Patti says. What does Patti say?

**The Speaker:** The member for Yorkview, please come to order. Would the member for Renfrew North take his seat. I ask the member for Yorkview to come to order.

**Mr Conway:** I am not going to read chapter and verse of this particular book, but it’s something this motion and the previous situations involving the members for Lincoln and Welland-Thorold would now be able to add to. We have another example of how this Rae government is not prepared to tolerate any dissent within the government, and it is shameless and public about the way in which it intends to go about disciplining anyone who dares take a contrary view.

I simply want to say that I think it is a bad day for this Legislature when governments seek to do this to members of the assembly who, by all accounts, are doing a reasonably good job in the assignments to which they were sent. I can understand any government or any group of elected officials petitioning to rid themselves of an unsuccessful or a truculent or a very difficult Chair, perhaps even a Speaker. I can understand a Premier deciding at a certain point that he’s had enough of a given minister. But what we’ve got here is a situation today where once again the government is moving unilaterally to remove a Chair of one of the legislative committees where there is apparently no evidence that the member has done anything but a good job.

I just want to say to the assembly and to the public beyond that this is not an acceptable conduct today. It might have been years ago; it might have been some

time ago. But we are in the midst now of a national election campaign where I think it is clear to all of us that a good bit of the old order is under a great deal of attack, and some, if not much, of the old order is washing away before our eyes.

I can’t believe my friend the member for Oxford, who is a good fellow, a very hardworking member of the assembly, supports this. I can’t believe he supports this. I’m simply here as a member of this Legislature, looking at the motion I have in front of me, and I want to hold the assembly accountable for what we are doing here today. I want to ask my friends in the NDP to very carefully consider what their government is doing to one of their own, one of our own, today.

1510

This place has run for too long on the notion that the executive decides all. I have to be fair in saying that it’s not just this government that has operated with this attitude, but I must say, I can’t remember either the Davis or the Peterson governments moving as often to remove committee Chairs as this government has done in but three years, and that is a surprise and a disappointment, I think, to those of us who’ve been here a long time and who expected that the NDP would be at least as good as the Tories and Liberals, and probably better, if they were to be judged by their own rhetoric.

What has surprised me is the measure of intolerance in the current government of its own members who stand apart from certain government initiatives. Ron Hansen was dumped from his position within minutes of the vote.

*Interjection.*

**Mr Conway:** I’m properly reprimanded: the member for Lincoln. As I remember, the member for Lincoln was dumped within minutes of that vote here a few years ago. I think he got to the door and was told he was no longer Chair of the economic and finance committee. I mean, it was bang.

What Bill Davis used to do in the old days was, when people did things like that, he put them into the cabinet. He did. You might laugh. Is there anybody here—I guess I am the only one left who remembers how Larry Grossman got into the cabinet. Larry Grossman got into the cabinet by doing the sorts of things that the member for Lincoln and to some extent the members from Welland and Wentworth have done. There were a lot of very dutiful Tory backbenchers who in those years thought it was not a particularly good way to build a collegial team, but that’s the way it used to happen.

My friend the member for Etobicoke-Humber’s not here, but he’s been a very interesting and I think fairly independent member of this Legislature. I remember the days when the member from Humber took a rather independent view of certain government initiatives that I know my friend from Bruce remembers better than I.

It was not easy, I can say for the member for Bruce and the former Premier, to always deal with the independent posture of the member for Etobicoke-Humber, but I don't remember the government of David Peterson moving so punitively—or punitively at all—against the member from Humber as the Rae government has moved on three successive occasions against three members of its own caucus.

*Interjection.*

**Mr Conway:** Now we've got the member for Sarnia bursting at the seams to get into this debate, and he should, because a year ago when his government—

*Interjection.*

**The Acting Speaker (Mr Noble Villeneuve):** Order. The member for Renfrew North has the floor.

**Mr Conway:** A year ago, when his government moved to improperly and unceremoniously dump the effective member from Welland from his job as Chair of the resources committee, the next step in that move was for the government to make the parliamentary assistant to the Minister of Environment and Energy at the same time Chair of the standing committee on resources development; in my view, a laughable conflict of interest, one not yet to have dawned on most people over there, least of all the good member for Sarnia, who, despite my difference of opinion with him on this subject, is a person for whom I have the highest regard and a guy I can't still imagine is not yet in this cabinet.

I do not know why the member for Sarnia, differ with him as I might, is not in a cabinet that has had people in it like the honourable member from Peterborough and the honourable members from a variety of other places. But I say to him that a year ago, the member for Sarnia saw nothing wrong with, at one at the same time, the government moving to dump—

**Ms Jenny Carter (Peterborough):** On a point of order, Mr Speaker: I'm just wondering whether it's all right for the member to stand there and insult other members of this House.

**The Acting Speaker:** Order. The Chair did not see that as an insult.

**Mr Conway:** I apologize profusely if any insult was read into those remarks. I thought I was saying positive things about the member for Sarnia, who is a very capable fellow.

What I want to say, though, when this last happened a year ago or less, when the government of Bob Rae sought—they'd had enough of Peter Kormos, the member for Welland-Thorold, and they were going to get him out of their way. So without a motion of this House, they sent some of their friends into the committee to do a laughable piece of business, and the result of that was that we got the parliamentary assistant for Environment and Energy nominated and elected as Chair of the standing committee on resources develop-

ment, where half of the time is spent dealing with issues of the environment and energy. But that was no conflict; there was nothing improper in that.

I just simply make the point again that we all talk about the need for a more involved Legislature, the need to enhance the role of members, of all parties, who are not of the executive council and those who are not members of the front bench, for whatever that means, over here. I think that is an understandable and legitimate ambition for all honourable members to pursue, and quite frankly, it is what the public out there expects, that if the member for Oxford comes down here and is elected as Chair of a committee and does a good job, he's going to be able to keep that job even though he might differ with some of—

**Mr Sutherland:** Do you want to sit down and debate real issues like the Environmental Bill of Rights?

**Mr Conway:** Well, this, I want to say—

*Interjections.*

**The Acting Speaker:** Order.

**Mr Conway:** I want to say, Mr Speaker—

**The Acting Speaker:** I want to remind all members that you will all have the opportunity of participating. The member for Renfrew North is on a time allotment. He has some 11 minutes and 50 seconds left. Please allow him the opportunity.

**Mr Conway:** I know there are some people around who think this is not an issue at all. This is a very fundamental issue. It's a very important issue, and since most of this assembly won't be here in three years' time, most people now listening to these remarks won't be here in three years' time, I think five and 10 years from now some of us will want to reflect on the time and the stewardship we had here.

*Interjection:* That are here.

**Mr Conway:** Well, listen, I've got to tell you, and I'm not pointing my finger in any one direction, but the fact of the matter is, the average length of stay in this assembly now is 4.3 years.

**Hon Elaine Ziemba (Minister of Citizenship and Minister Responsible for Human Rights, Disability Issues, Seniors' Issues and Race Relations):** Since you were in government.

**Mr Conway:** The member from High Park makes comments about since I was in government. Well, I've been here for 18 years, a long time, and I'll tell you, I don't think I've got enough fingers on my hands to count the members I have known from High Park-Swansea. I don't think there's another electoral district that makes my case. I'm trying to be direct, and I just simply want to make the point that this is a very important issue. I simply say to the government and to members of the opposition that the role of members of this assembly is important.

You know, that famous quip that Pierre Trudeau made, that MPs were nobodies 50 feet from Parliament, is in fact inaccurate in today's context. MPs are increasingly nobodies within the precinct of Parliament. That's the real irony of our situation today.

When the member for Wentworth East goes home, he's a somebody. People have elected him. They know something of the work he's doing on their behalf. They may not have voted for him, they may not intend to support him in another election, but he's a somebody at home and they expect him to be somebody here. And part of being a somebody here, from the point of view of the honourable members, is an understanding on the part of first ministers and party leaders, whether they're Bob Rae, David Peterson, Frank Miller, Bill Davis, Jean Chrétien, Kim Campbell, you name them, that those first ministers and party leaders are going to be a little more understanding and a little more tolerant of an independent posture taken by those honourable members within the precincts of Parliament if, as and when those people decide, in their interest and in their consideration, as the member for Lincoln did when he voted against I think it was the tobacco act, that that in his judgement was not an initiative he wanted to support. Why should he then be told 10 seconds later that he's going to be removed as a Chair of one of the standing committees where he's done a good job?

**1520**

If all of us in this place and in the parties to which we belong do not understand that that is the kind of rigidity and top-down dictation that is really infuriating people and giving real steam to the Preston Mannings of the world, if we don't understand that we'd better quickly turn our ear to the wind because some very interesting things are happening out there and we ought to be careful about these kinds of motions because, I've got to tell you, if I were a Reform candidate out there in this election and, I don't care who it was, whether it was Premier Rae, Premier Peterson or Premier Davis, if they did these kinds of things in the absence of any other evidence other than an independent posture taken by the honourable member on occasion, then I would tell you as a candidate campaigning for a new way of doing business, I would feel that I had some very good ammunition.

I want to conclude my remarks by saying that this is important business for this Legislature. It is important that we all understand what's happening here. I hope that we all think carefully about the signal this sends, not just to honourable members in the chamber but to the community beyond. You either toe the line in this executive, first-minister-driven world or you will be penalized in a way that will affect your standing within the caucus and, in this case, in a way that will affect your pocketbook. I don't think that's a signal that we should be sending with the degree of frequency that this

government has been sending it over the last number of years.

I just want to say to people here, irrespective of their political stripe, that I hope the day returns when as individual members, either in the government or in the opposition, we can feel comfortable about the hope and the reality of being a somebody again within the precincts of the legislative place.

**The Acting Speaker:** Further debate on Mr Charlton's motion.

**Mr Chris Stockwell (Etobicoke West):** Mr Speaker, I don't want to take a tremendous amount of time up on the motion before us. Particularly the members on the government side will see this as a housekeeping matter and a bit of work that should not take up any, if a very limited, amount of time.

Certainly you can understand the changes that many have gone through, and I understand the changes for Mr Farnan and so on, and of course Mr Drainville leaving necessitates the other changes.

Much has been made about the fact that any opposition that is verbal and public to this government by members of the government has been dealt with in a rather swift fashion. Much has been made of the fact that they've, in fact, handled those situations very badly. So badly, in fact, that there was the debacle, as was mentioned earlier, regarding Mr Kormos at the committee where they wanted to kick him off and they couldn't figure out exactly how. Then, of course, Mr Hansen's dumping as Chair after the tobacco bout, and today we see Mr Morrow being moved off as Chair of a committee that I can only assume he doesn't want to be moved off of.

So the laughter about the moose tag jokes and so on is probably a reasonable assessment because, as has been said, they can't even dump their own people properly. Maybe the comparison is that they can't even stab their own members in the back the right way; they keep hitting them in the chest.

We have now another example of a member before us—

*Interjections.*

**Mr Stockwell:** Here they go, the gaggle—as I understand it, away on their retreat a weepy and teary group got together and they got whipsawed and they got told what a wonderful life it is and they've got a job for two more years, which they should be thankful for. With that, I'm certain at that time the decision was made that if they were going to keep this crew in order and keep their ducks in a row, they were going to have to make examples of those who, God forbid, thought on their own, actually did their own thinking, voted against the social contract, which I can't believe to this date any of them voted for in the first place. Why—

**Mr Klopp:** You said you were going to vote for it.

**Mr Stockwell:** I'm sorry? The member for Huron had a pronouncement?

**Mr Klopp:** You got whipsawed. Don't tell me about whipsawing.

**The Acting Speaker:** Order. Order, please. The member for Etobicoke West, please address the Chair.

**Mr Stockwell:** I'm doing my best, Mr Speaker. The member for Huron occasionally pipes up and I would like to respond. It would be even better if he could make a speech or a statement in this House and then we could really put it down on record and read it. But I have to deal with him as his party allows him to be dealt with, in appearance to be the same way that it's dealing with Mr Morrow, as the lot of you are being dealt with.

Why this runs deeper than just a simple announcement by the House leader is, previous to this government being formed, it was clear in the minds of New Democrats across this province and indeed this country that they were the fairest, most democratic, most reasonable, open-minded group around—

**Mr David Winninger (London South):** You're right so far.

**Mr Stockwell:** —when it came to party policy—and the member for London South tells us that I'm right so far. And you know what? Nobody could debate that, no one could make a debate about that, because in this House they had not sat as a government. But in the past three years, they're proving without a doubt, categorically, person by person—Mr Hansen, Mr Kormos, Mr Morrow, Mr Drainville, Mr North, gone; and the crumbling continues—that maybe they're not quite as fair and democratic and aboveboard and upfront as in fact they've suggested they were in the past 20, 30, 40 and 50 years.

Why this is important is this just isn't going to wash any more. This kind of treatment to a member of this Parliament who's been duly elected isn't going to wash with the constituents any more. I know a passing reference was made to Mr Manning of the Reform Party, but one of the major planks that he puts out there that the vast majority of people accept, the vast majority of people endorse, is the fact that a local member has the right to stand up to the government, of which they're one, and say, "No, I don't agree with you"—

**Mr Drummond White (Durham Centre):** What's his platform?

**Mr Stockwell:** —and not have any reprisal taken by the executive group that in fact runs that particular government. Excuse me?

**Mr White:** The non-platform platform.

**Mr Stockwell:** Again we have the cackling. I'd like you to enter into this debate. I think it's important that these backbenchers be allowed to enter into this debate because I'd like to see you go on the record saying: "Mr

Morrow and Mr Kormos and Mr Drainville are all wrong. They're all wrong. This is the way you've got to treat these people. Any time someone votes against the government, you've got to get them right under your thumb and you grind them into the ground." Because that's what we're seeing here today.

Mr Morrow voted against some very important legislation that this government has, for what I believe to be fundamental principles and beliefs. What does he believe in? We know he doesn't believe in the social contract. You may directly link this motion today to the fact that Mr Morrow voted against the social contract; case closed. That's why this is happening and that's what the people in this province and indeed in this country will not accept.

What really is somewhat frustrating, I believe, is to see the backbenchers of this government party sit here and try to convince me and the people of this province that that's not the case. Who do you think you're kidding? Who do you think's going to believe you when you say, "Oh, no, this isn't the case. It's because"—as the member for Wentworth North would say, he was leaving early.

We all know why this is taking place and we all know that this shouldn't take place and we all know that this won't take place for ever more, because the people will not allow this to continue to take place. The people from Wentworth won't allow it; the people from Welland won't allow it; the people from Etobicoke and Renfrew and Mississauga, right across this province, will not allow it. This chair that was filled by the member from Hamilton—and I would like to note it's a member from Hamilton who may not politically do too badly by this because the polls, as my friend from St Catharines noted, in Hamilton do not favour the government very well, simply being at 4%; that was shown earlier. He may well do well because of this.

In fact, if I were a government member, I may be looking for a reason, I may be looking for some rationale, to get turfed by my counterparts, my partners and my single-digit-popularity friends. So he may not do badly because of this particular endeavour that this government's taken, but I don't think that's what we should be debating today, whether or not he survives politically. I think what we should be debating today is whether any government, because someone in its back benches chooses to think and chooses to disagree with the executive council, should then have to be punished in a very public and real sense because he has chosen to adopt the principles and beliefs he was supposedly elected here to represent, and also to adopt the principles and beliefs of those people who voted for him in his constituency.

cabinet, you know and I know and the people of this province know there's more to this than, "Mrs Haslam for Mr Morrow." There's more to this than just that. There's a very important message here for all the backbenchers in this government of two more years, and that important message is: "Step out of line and you're through. Step out of line and you're finished. Step out of line and not only will you be through with us; we will in fact cut your pay, cut your responsibilities and cut your action."

If the backbenchers can't see it, the people can, and the people in this province will not stand for this kind of government any more. They want action and they want input and if, every time a member they elect down here has input that's different than the government, he'll be punished, they will not accept that.

So much has been said in the last few years about this government suggesting other parties are dinosaurs. One thing is very interesting. I think the tables have turned. I think the pendulum has swung. In some cases in the 1970s and maybe the 1980s there were some prehistoric thoughts in other parties that these people thought they led the opinion polls on. No longer, my friends. If there are any dinosaurs in this House, if there are any old-line thinkers who aren't in tune with the people today, it's you and your single-digit popularity. It's you and your attitudes towards people who choose to think on their own and vote against what I consider to be flawed government legislation.

No longer will you be saying, "Where are the dinosaurs?" You're the dinosaurs, you're out of touch and you're not treating your people the way you said you'd treat them when you were on this side of the House.

**Mr Peter North (Elgin):** It's a great opportunity for me to stand in the House and speak today. It could possibly be one of the few times that I get an opportunity to speak in this House.

I wanted to address an issue that I think is important certainly to me, but that could be important to other members of this House as well, and that's the issue that my name personally has been deleted, but more so than this, that there are, to my knowledge, no names for independents on committees.

As I look at a plaque on my wall in my office, it says, "The same rights, privileges and responsibilities of the position," and I suggest to you that it's of great concern to me, and I know I spoke to another gentleman who is an independent in this House and it's I think of great importance to him as well, that we be viewed as equal members of the Legislature. It's certainly our impression that we were elected as equal members. It's certainly our impression that somehow we're not less members than other members because we're not sitting affiliated to a certain party.

I know that in representing my particular constituents

I don't necessarily decide, because they're affiliated to a certain party, that I represent them more or I represent them less. In my view, as humble as it may be, I try to represent them as best I can all the same.

If I'm not able, I think, to sit on a committee or represent the people of Elgin county on a committee, I somehow feel that those particular constituents who are in my constituency will not be properly represented in this Legislature, and for that matter outside this Legislature, on the various committees that happen across the province. It's a very fundamental thing, I think, to have a discussion about participation by all members of the House.

I know that the member from Renfrew talked earlier about the direction parliaments are taking. I think he tried in his discussion to red-flag somewhat or signal concern perhaps that comes from the very people who live in our particular constituencies across this province, that either they're not being heard by their particular member or they're not able to get their points across either in the Legislature or in the various committees they're representing them on.

It's ironic, I think, that you could be a sitting member in this House perhaps for 20 years, and a member could come in in a by-election and be a member of a sitting party, and there is a perception that the member who has come in on that very day perhaps would have more power than the member who has sat here for 20 years. I think it's wrong to have that perception and I think it's wrong to give that perception.

I suggest to all members of the House today that there should be some consideration, perhaps not for myself personally, but for members of the Legislature who would choose to sit as an independent and perhaps in the future would be elected as an independent, because I think they have a valuable role to play. I don't see anywhere in my particular county that it says I have to belong to a party to represent the people of Elgin county, and I think that would be true for any particular constituency across this province.

I'm asking as clearly as I can that independent members be considered for committee, that independent members be considered for the opportunity to speak in the House, to ask questions in the House, to enjoy debate in the House, to have all of the rights and privileges that it says on that plaque I have on my wall in my office. That is what I believe I was elected for, that is what my constituents believe I was elected for, and I hope I'm afforded the opportunity to represent them to the best of my abilities, because that is what I intend to do. With that, I thank you very much for the time.

**Mr Elston:** I won't be long in speaking, but just in reply to the previous speaker, the member for Elgin will want to know that the Legislative Assembly committee is already deliberating even now, or at least over the

course of the summer, on the very issues about which he spoke. I might just refer him to at least one of the presentations that I've read so far, that by M. Morin of our caucus, who was making presentations in relation to questions raised earlier by the former member for Victoria-Haliburton about the rights and privileges of independent or non-aligned members in this House.

It's an interesting concept, Mr Speaker, calling people who are not associated with caucuses "independent members." For some time, and in fact during the course of your first term here, having been elected I guess in 1982, you probably were able to witness some of the most independent voting patterns that were ever noted in this Legislative Assembly on the part of the then opposition Liberal Party.

We were often looked at and yelled at by Michael Cassidy and the group of people off to our left in those days, because sometimes some of our members voted one way on a bill and sometimes, during the same vote, others opposed the position supported by some of their caucus colleagues.

The derisive laughter that originated from the government benches was often a little bit hard to accept, because people would say: "Look at those Liberals over there. They're really not able to make up their minds." Basically, what was being contemplated by the members who were voting in our caucus on different sides of the issue was the fact that they were representing what their constituents wanted them to stand for in this Legislative Assembly. There was a degree of independence in that caucus.

The members of the Liberal caucus over the years have been noted as some of the most independent ever. The memory of Eddie Sargent in this House, for instance, would bring to new highs the meaning of the word "independent." Elmer Sopha, James Bullbrook, predecessor to the member for Sarnia—a huge number of individuals have swept through this Legislative Assembly in a manner which is to be described, I think almost meekly, as independent when you look at some of the things they said and some of the things they did in the face of some of the positions taken by their leaders of the day.

It didn't just happen with respect to the Liberal caucus. I've noted, from very limited experience, some 12½ years, that there was the odd New Democrat who caused problems for their leader of the day. Morty Shulman in some ways caused great consternation for the leadership in opposition days. The member for Hamilton Mountain knowingly nods his head in agreement, because he was in that caucus when the days of independent New Democrats was almost the way of the world.

**1540**

**Hon Mr Charlton:** They're still here.

**Mr Elston:** The day of the independent New Democrat was just confirmed to be still here, according to the member for Hamilton Mountain, but he jokes, because of course what is happening today is that there is a removal of the independent voting habits of the New Democratic Party members of this Legislative Assembly.

I watch on occasion, when I'm home at a decent hour, a program on the Arts and Entertainment channel of the cable I have, and it's a program which I think probably should be best suited to describe the activity we here now contemplate. The name of the program is Brute Force. Brute Force is an examination in some degree of a thorough nature of the items used to conduct warfare: psychological, physical and otherwise. That type of program would be best used to analyse the activities that have been undertaken here today, and on at least two other occasions, by the New Democratic Party's Premier.

Now, some people, and I note the member for Renfrew North was one of them, have suggested that this particular piece of brute force has been initiated and has been done almost unilaterally by the Premier and by the executive council.

I know, from having read the article in the Hamilton Spectator, which quoted extensively the member for Wentworth North, and from speaking to others and having heard from other people in the hallways after votes by independent-minded New Democrats, ie, those people voting against a government position, that this is not just an isolated Premier's motion, passed through his executive council and lowered on the unsuspecting backbencher. This is a piece of brute force which is highly moved and seconded by the general membership of the New Democratic Party caucus, because those people who have toed the line of the Premier and the executive council cannot bear the thought that there were those people who stood strongly and stridently for the things about which they spoke during an election campaign.

On a number of occasions, I have publicly declared my position contrary to a number of the things that the NDP campaigned about during the course of the last election. I don't agree with a number of their positions, and in a number of situations I have applauded some of the reversals. But I really do admire somebody who, having made the pitch, having made the promise or commitment to those people to whom they campaigned that certain things would happen if they had their way—I applaud them and I admire them. I support them.

But the real problem I see in this House is that there is a definite lack of courage on the part of the rest of the New Democratic Party caucus to allow somebody else to contradict their collective spirit.

In fact, it seems to me that there are people who stand for what the New Democratic Party campaigned

on in 1990, and according to himself, the member for Welland-Thorold is one. I think the member from Wentworth East is also another, although he is much more quiet and much more modest about his position on items of policy deliberation than the member for Welland-Thorold.

But let it not be seen by anybody who is an observer of this place that this is just a capricious act by a single Premier acting on his own will. This is a collective scrubbing out of any sense of squeamishness about the position of all of those other people who have voted against the items which they campaigned so hard on.

I was just taking a look at the book. I haven't read *Giving Away a Miracle*. I think it has some interesting stuff in it. I know Wayne Roberts a little bit; I've been interviewed by him on a couple of occasions. I was just looking at the chapter entitled "The No Dissent Party: 'Democratic' Isn't the NDP's Middle Name." They start off with a quote from George Orwell, the *Road to Wigan Pier*, "The whole socialist movement is no more than an exciting heresy hunt."

In a way, what is so ironic about the situation in this House today is the heretical position now being espoused as that of the majority of the New Democratic Party caucus according to the things that they campaigned upon. If there should be anybody who is hunting down the heresy to take it out of that party, it should be the member for Welland-Thorold; the member for Wentworth East; perhaps, although I don't speak for the member for Elgin, he is here in person and could speak in that regard himself; and other members of the New Democratic Party who would not stand for some of the things this government has done—the reversal of auto insurance, for example, something I'm happy they did, but there are New Democrats who are not happy about that and have never seen that as part of the New Democratic Party's essence.

There was on Monday of this week in the gallery a small demonstration where people described a number of the New Democratic Party members, those 66 individuals who voted in favour of the social contract legislation, Bill 48, as it was then known, as traitors. In some ways, the member for Wentworth East escaped that label. He escaped being called a traitor by those people because he was one of the few New Democrats who stood in his place and said, "I will have none of this betrayal of our past and of our commitments."

The member for Perth was another, and we all know what that has done for her career, perhaps just temporarily. I don't know how long the penalty box time is to be served, but we do know that from time to time people do escape the penalty boxes. The member for Lincoln has escaped, although maybe not fully without being on probation or some other form of serious scrutiny by perhaps the whip or the deputy whip, the member for Wentworth North.

Somewhat, what is so infuriating about all this stuff is that in the name of discipline, members of the New Democratic caucus, in their large numbers, are trying to salve the wounds which they have inflicted upon their own sense of decency, for as long as the member for Wentworth East was to stay as Chair of the standing committee on the Ombudsman, as long as the member for Perth was allowed to stay in the cabinet, as long as the member for Welland-Thorold was able to stay as caucus Chair in the resources committee, they would be a stark contrast to those people of weaker conscience who would not stand and vote where their party came from.

So what do you do to make sure that your conscience is not twiggled at every turn, a reminder every day that they are seen? You remove them from visibility, and you exact a price for their conscience having governed their day. The price that the member for Wentworth East pays today is the loss of the chairmanship of the standing committee on the Ombudsman.

For those people shaking their head over there, in numbers of 66 and even more on some other issues, who have been described as traitors by people just this past Monday, they are the ones who have sold out the traditions of the New Democratic Party so they could progress into the higher elements of government and perhaps sit at the table with their esteemed Premier. That is exactly why we are coming to the point today where the brute force of motions delivered by the government House leader are being laid before this democratic chamber.

#### 1550

Lest anybody be concerned about what is happening here, there will be a vote. This is not a unilateral move. They have to bring it here, but it is only so that the huge numbers of the New Democratic Party caucus can have their way and have it somehow legitimized.

We're going to be voting against this resolution, not because we don't want the change for Mr North, which is a necessary one; not because we don't want the change for Mr Drainville, because Mr Drainville no longer sits here in this House; but because they have tried to obscure the vote on the removal of Mr Morrow, the member for Wentworth East, from his position as Chair of the Ombudsman committee from the view of the public, so that they could gloss over that movement and hide it, swallow it up in what they would call mere house cleaning.

Well, this is a House cleaning. This is getting rid of the conscience of their caucus by making sure that anybody who would tread against the big numbers of the New Democratic Party will be shown the door. Mark Morrow voted, and he's gone. Peter Kormos voted, and he's gone. The member for Perth, Karen Haslam, voted, and she's gone.

**Mr Donald Abel (Wentworth North):** She quit.

**Mr Elston:** The member for Wentworth North is correct. The member for Perth did resign her position in cabinet; she did it honourably and she did it in the highest traditions of this House. Were it that you knew about the traditions of this House to allow some independence of movement in your own caucus. I challenge you, member for Wentworth North, to vote against this resolution, and I challenge all of those others over there who sit and laugh to vote against this motion to remove Mr Morrow.

**Mr Abel:** I follow my conscience. I vote the way I think is right.

**Mr Elston:** In fact, I would, if I had the authority, like to sever this particular portion of the motion, the portion that says "that the following substitutions be made to the membership of the following standing committees...on the standing committee on the Ombudsman, Mr Cooper for Mr Drainville and Mrs Haslam for Mr Morrow." I should like to sever the portion that deals with Mrs Haslam being subbed for Mr Morrow, because I would like each person over there—and the member for Wentworth North says he votes his conscience on this. There is no conscience on this except to vote away the conscience you need so badly to heal after you bruised it by voting on Bill 48.

You're getting rid of Mr Morrow so you won't feel guilty. You are undoing the things he has stood for so you won't be reminded every day that somebody can stand in his place and vote his conscience on pieces of public policy. That is the issue.

Mr Speaker, through you, to the member for Wentworth North I apologize for pointing, but there is no obvious explanation except that they are removing Mr Morrow because of his position on those votes. It's clear. It's been talked about in these halls; not in this chamber so much, but in the halls. Everybody has been awaiting this. We've known about it.

And you know something, Mr Speaker? Had Mr Drainville not retired from this assembly to run federally, there were going to be movements made, I am sure, to take him out of his position as Chair in the committee of the whole. He would have been done. He was not going to leave his place. He was going to remain independent. But there were movements afoot to take him out, and out he is, but he resigned to go to a place where he feels that his conscience and courage can be much better and much more fully exercised in safety. Heaven knows, going to Ottawa is a tremendous step to take to try to encourage that event to occur.

**Mr Sutherland:** If he gets there.

**Mr Elston:** The member for Oxford said, "If he gets there," but you know something? The desperation of the situation is such that he was much more willing to run as an independent in a federal election, to become elected as an MP, to try again to be an independent

person in a new House, than he was to put up with having to deal with all of the shenanigans that have gone on behind the scenes and that have been actively thrown in the direction of people who call themselves independent members.

It tells a whole lot that a member is willing to sacrifice probably two years of active service here, and he was a diligent man on the issue of casinos and other things; that he was willing to throw away those two years to run in the uncertainty of a federal election. In fact, I believe very fully that Mr Drainville understands that he is fighting an extremely uphill battle to win a seat in the Victoria-Haliburton federal riding. But he went anyway, because he can't stand what has occurred and taken place with respect to the types of enforcements that are going on in this House.

There was one other little quote I wanted to read out of this book, and it's not from the writers themselves. It actually comes from another writer whom they have quoted. It's from Robert Service, *The Cremation of Sam McGee*, and I quote, "A promise made is a debt unpaid."

Might I say today that when it was discovered that the member for Wentworth East was to vote against the social contract and when it was discovered that he, along with the member for Welland-Thorold, were to vote against Bill 164, the auto insurance regime brought in by the government House leader, a promise was made that they would not do that and escape the heavy hand of the brute force that resides in the hearts and the minds and souls of the New Democratic Party caucus.

With this motion today, the debt is paid, the promise has been delivered: The member for Wentworth East is gone. And that speaks volumes about which the New Democratic Party of this province ought to be ashamed. I'm against.

**Mr Robert V. Callahan (Brampton South):** It's rather ironic that this debate takes place today, because tonight I'll be holding a cable show for the people of Brampton South where they can call in and ask questions about the matter of reform.

We're going to be talking about how this place should be reformed. The very fact that the power exists in the hands of the Premier and the executive council, by the use of taxpayers' money, to take away from members the opportunity to chair committees or be parliamentary assistants or to remove them from cabinet for no reason other than the fact that they exercised some degree of independence, the fact that the Premier can do that at the expense of the taxpayers to me is outrageous.

It provides the type of power that makes you people totally without power. It makes you somewhat like political eunuchs. There's no way you can represent your ridings. There's no way you can represent the

people who gave you the sacred trust to represent them in this Legislature. You're denuded of that right. You're required to rise almost as though you're joined at the hip for every measure that takes place in this House. I suggest to you that it's a sad day for democracy. It certainly is, and it cries out in volumes the fact that this Legislature as well as the Parliament of Canada require a great deal of reform.

When people vote for us and give us their trust to come down here and speak on their behalf, they want us to speak on their behalf, not on behalf of the Premier, not on behalf of the executive council. They expect us to put forward their views, and if we don't, then we damn well deserve to be defeated in the next election.

I've watched this place. It's ripe for reform. The powers of the sledgehammer that the Premier has to be able to threaten somebody with taking the extra \$10,000 or \$8,000 or \$9,000 away from them for sitting on a committee or chairing a committee or being a parliamentary assistant, those days are numbered. If you wonder why the people of this province and this country are dissatisfied and disgusted with politicians, that's precisely it. It's time for this club to change the rules, and I suggest that we've seen three, if not four, absolutely outrageous acts on the part of the Premier of this province and the cabinet and all of you people who voted in favour of it removing people who are colleagues of your own.

I'm sure that Mel Swart has probably not only ripped up his card; he's probably never going to enter politics or have any political thoughts again. He's probably totally alienated in terms of what's happening with the New Democratic Party. You people should be absolutely ashamed of yourselves.

#### 1600

I'm sure the taxpayers of this province who are watching this telecast would want to have a say in whether or not the member who was removed as Chairman of that committee should be removed. I'm sure that if you gave them the possibility of coming down here and speaking, they would chastise you as well for what you're doing. I would suggest that every member from the community of Hamilton is at serious risk if they vote in favour of removing this man. He's done a good job. I was talking with my colleague the member for Kenora. He was on the committee. He did an absolutely fine job in it.

So what are the motives? I tell the people viewing this telecast that the motives are the fact that he tried to stand up and represent the people of his community. If that's the type of conduct by a Premier of this province, that he in fact can use his power and his office—and the taxpayers' money, I might add, which is not his—to remove somebody from a job that he's doing well, doing it faithfully to the oath that he took when he was sworn in as a member of this Legislature, then I say it's

a sad day for this province. I'm going to enjoy doing this telecast tonight because I think the time has come to take those clubs, those powers, those taxpayer dollars that are used to influence people to make decisions that are not good for the people of their communities but are good for the Premier and for the executive council and with a view to perhaps getting themselves re-elected. Let me tell you, you're on the road to destruction, because I think the people have caught on to this whole act. You people are not going to get re-elected. There will be some of you who will come back. The people who've had enough conscience and guts to at least represent the people of their communities deserve to be re-elected. Those who have just sat there and done nothing but allow their colleagues to be axed don't deserve to be elected to anything.

I suggest that this motion, which they tried to slide by, I think, without any debate whatsoever, had to be debated. It's an important issue to the people of this province. It's an important issue to the people of this province who pay the taxes and pay your salaries. If in fact the Premier has the power to chastise or demote or not promote good people, then in fact what he is doing, I suggest, is using the taxpayers' money unwisely. He's not using it in their best interests. In these days, when we can ill afford to misuse money or not use it properly, that's a shame.

Why do we need 130 members of this Legislature if that's the type of power the Premier has? Why should the whole place be run by the Premier, about four cabinet ministers and six spin doctors down the hall? They don't make a decision based on what's good for the people of this province; they make it based on the polling that they take to see whether or not that's a sexy political issue that'll get them re-elected.

I'll tell you something: I think this federal election is bringing to the fore the fact of what happens when you have a system like that. I think people have caught on. The Reform Party has gotten its start and perhaps will do far better than any of us believe because it's at least talked about it. I suggest to you people over there, if you're saying that you're voting with your conscience, I have grave concerns about that. If you're prepared to axe a colleague who was doing a fine job as Chairman of the Ombudsman committee and you're doing it simply because he had the guts to vote against something that I thought the New Democratic Party cared about, the workers of this province, if that's what happened, and I'm sure it is and I'm sure the people who are watching this telecast will know that's what you're doing, then in fact you've not only committed the sin once; you've committed it twice.

The 66 traitors voted for the bill; the 66 traitors are going to support the axing of their colleague again. You've done it twice in spades and I can assure you that the people and the taxpayers of this province who

are watching or hear about this will understand that you've betrayed the principles of the New Democratic Party once again.

**The Acting Speaker:** Further debate? Seeing none, Mr Charlton has moved a motion for substitution. Is it the pleasure of the House the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it. I declare the motion carried.

#### PETITIONS

##### HEALTH SERVICES

**Mr Sean G. Conway (Renfrew North):** I am pleased to present a petition signed by hundreds if not thousands of my constituents in the Ottawa Valley, a petition which reads:

"To the Legislative Assembly of Ontario:

"Whereas it is important that the people of Ontario maintain a strong public health care system; and

"Whereas it is important that in these times of restraint, our public health care facilities receive appropriate and adequate funding;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

(1) That all diagnostic imaging and laboratory services including specimen collection be covered by a licence; and

(2) That licences for all diagnostic imaging and laboratory services be issued only to not-for-profit operators."

I'm pleased to support and to present this petition on behalf of all of the signatories.

##### HEALTH CARE

**Mr Ted Arnott (Wellington):** I have a petition and it's signed by hundreds of my constituents in Wellington county and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas proposals made under the government's expenditure control plan and social contract initiatives regarding health care in the province of Ontario will have a devastating impact on access to and the delivery of health care; and

"Whereas these proposals will result in a severe reduction in the provision of quality health care services across the province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario move immediately to withdraw these proposed measures and reaffirm its commitment to rational reform of Ontario's health care system through its obligations under the 1991 Ontario Medical Association/government framework and economic agreement."

#### PICKERING AIRPORT LAND

**Mr Jim Wiseman (Durham West):** This petition is signed by many people from what now amounts to a large area in southern Ontario, all protesting the insensitivity of the federal government with respect to the dispersion of land in North Pickering.

"To the Legislature of Ontario and the Lieutenant Governor of Ontario:

"Whereas the federal government intends to dispose of surplus lands on the Pickering airport site that are agriculturally rich and environmentally sensitive; and

"Whereas the residents have not been informed of the immediacy of the federal government sale plan;

"We, the undersigned, petition the Legislature of Ontario as follows:

"Therefore, that the provincial government of Ontario request the federal government of Canada to initiate a public review by a panel of the federal Minister of the Environment to ensure an organized disposal protecting these rural resources and the community of residents there."

This is signed by residents from Ashburn, Uxbridge, Pefferlaw, Willowdale, Greenwood, Guelph, Toronto, Mississauga, Oshawa and Scarborough. It shows that the anger about the displacement and the inhumanity of the federal government towards these people is growing.

I affixed my signature.

#### ST GREGORY SEPARATE SCHOOL

**Mr Chris Stockwell (Etobicoke West):** A petition:

"To the Legislative Assembly of Ontario:

"Whereas the voters and taxpayers of the St Gregory School community have been requesting funds for a much-needed renovation expansion of the present facility for 11 years; and

"Whereas the Metropolitan Toronto Separate School Board has placed St Gregory School as one of the highest priorities on the capital expenditure forecast list"—and I might correct that; it is now number one on the priorities on the capital expenditure forecast list;

"We, the undersigned, petition the Legislature of Ontario to allocate capital funds to the St Gregory School."

I will affix my signature to this because it's a real issue in my riding, much like a dump site that will be going in with the big issue that it is now.

#### PICKERING AIRPORT LAND

**Mr Larry O'Connor (Durham-York):** I've got a petition here to the Legislative Assembly and the Lieutenant Governor of Ontario:

"Whereas the federal government intends to dispose of surplus lands on the Pickering airport site that are agriculturally rich and environmentally sensitive; and

"Whereas the residents have not been informed of the

immediacy of the federal government's plan of sale,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Therefore, the provincial government requests the federal government to initiate a public review by a panel of the federal Minister of the Environment to ensure an organized disposal protecting these rural resources and the community of residents there."

#### 1610

I've received many phone calls and many more petitions from the communities of Glasgow and Altona. These people have no plan for this disposal, and that's why they're bringing these petitions forward. The Conservatives want to ram this sale through of 5,000 acres, and of course it was a Liberal ill-fated plan, and I've signed my name to this petition.

#### GO TRANSIT

**Mr David Tilson (Dufferin-Peel):** I have a petition of 71 signatures and it's addressed to the Legislative Assembly of Ontario:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To object to the recent cuts to GO Transit bus service to Woodbridge, Kleinburg, Nobleton, Bolton, Palgrave and Highway 9;

"Whereas this will be a major inconvenience to non-drivers; and

"Whereas it will have a negative impact on the local economy; and

"Whereas the lack of transit service will increase traffic, thereby increasing air pollution levels at a time when all levels of government are making efforts to reduce pollution and encourage public transport systems; and

"Whereas the cuts leave no alternative means of commuting in and out of Toronto during peak hours; and

"Whereas the lack of GO buses will force passengers, at one of the worst economic times in Ontario history, to incur extra expense finding another form of transportation,

"That the government of Ontario overturn GO Transit's decision and restore GO Transit service to Woodbridge, Kleinburg, Nobleton, Bolton, Palgrave and Highway 9."

I have affixed my signature.

#### GAMBLING

**Mrs Karen Haslam (Perth):** "To the Legislative Assembly of Ontario:

"Whereas the New Democratic Party government has not consulted the citizens of the province regarding the expansion of gambling; and

"Whereas families are made more emotionally and

economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas credible academic studies have shown that state-operated gambling is nothing more than a regressive tax on the poor; and

"Whereas the New Democratic Party has in the past vociferously opposed the raising of moneys for the state through gambling; and

"Whereas the government has not attempted to address the very serious concerns that have been raised by groups and individuals regarding the potential growth in crime,

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government immediately cease all moves to establish gambling casinos and refrain from introducing video lottery terminals in the province of Ontario."

#### PHYSICIANS' FEES

**Mr Wayne Lessard (Windsor-Walkerville):** I have a petition signed by residents of the city of Windsor in support of area physicians and demanding the government of Ontario remove the cap imposed on their wages.

#### CASINO GAMBLING

**Mrs Karen Haslam (Perth):** "To the Legislative Assembly of Ontario:

"Whereas the Christian is called to love of neighbour, which includes a concern for the general wellbeing of society; and

"Whereas there is a direct link between the higher availability of legalized gambling and the incidence of addictive gambling; and

"Whereas the damage of addiction to gambling in individuals is compounded by the damage done to families, both emotionally and economically; and

"Whereas the gambling market is already saturated with various kinds of government-operated lotteries; and

"Whereas large-scale gambling activity invariably attracts criminal activity; and

"Whereas the citizens of Detroit have since 1976 on three occasions voted down the introduction of casinos into that city, each time with a larger majority than the time before,

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario cease all moves to establish gambling casinos."

#### INTRODUCTION OF BILLS

##### CAMBROCO VENTURES INC. ACT, 1993

On motion by Mr Ruprecht, the following bill was given first reading:

Bill Pr47, An Act to revive Cambroco Ventures Inc.

## CANNETTO SOCIETY INC. ACT, 1993

On motion by Mr Mammoliti, the following bill was given first reading:

Bill Pr53, An Act to revive The Canneto Society Inc.

## ORDERS OF THE DAY

## ENVIRONMENTAL BILL OF RIGHTS, 1993

CHARTE DES DROITS ENVIRONNEMENTAUX  
DE 1993

Resuming the adjourned debate on the motion for second reading of Bill 26, An Act respecting Environmental Rights in Ontario / Projet de loi 26, Loi concernant les droits environnementaux en Ontario.

**The Acting Speaker (Mr Noble Villeneuve):** The honourable member for Durham West last had the floor when this particular bill was debated.

**Mr Jim Wiseman (Durham West):** As the debate had ceased yesterday, I was in the middle of explaining and trying to outline why it is that this is such a significant bill. I had brought it to the attention of the House that what the members have been calling this bill, in error, according to the title, since the title is An Act respecting Environmental Rights in Ontario—but what members have been calling this bill is the Environmental Bill of Rights.

An Environmental Bill of Rights, by using the phrase, increases, I think, in terms of the stature of this bill, its importance, because if we all see in this body that this is an Environmental Bill of Rights and that, logically extending, there should be in fact an Environmental Bill of Rights, then future debates in this Legislature and future decisions about what we're going to do and how we're going to do it will have to have an environmental component. The environment will have to be considered as an integral part of the decisions that are being made here.

I can tell you that this is a significant move in the direction of recognizing that the decision-making in this province has to change and has changed, because no longer will it be good enough to just say, "We'll pass a piece of legislation and let the environmental blocks tumble and fall where they may," because all future pieces of legislation will have to be considered in the context that we live in an environment that is of increasing importance; of increasing importance to our health, our wellbeing and the future of the economy. They are not isolated factors, as once was thought.

If this bill, according to some, does not reach the lofty goals in its content that its title, its given title by the members of this Legislature, has implied, I can only say that history will show that other bills with lofty titles, such as the Declaration of the Rights of Man, the Declaration of Independence and other bills of freedoms for humans did not start granting freedoms to everybody, but that they were acquired.

But the start of that trek towards greater human

freedoms began by articulating that they were important in the laws of the land. By saying that this is an Environmental Bill of Rights, that is what we are saying. To that, I applaud, because it is absolutely crucial for us as legislators at this time in this place to be making those decisions in this place in an environmental way. I will try to articulate over the next little while why it is I feel that, and why it is that this bill is important.

## 1620

To refer to the bill, the purposes of this act are, and this is in section 2, "(a) to protect, conserve and, where reasonable, restore the integrity of the environment by the means provided in this act." I just want to dwell for a moment on a couple of words.

"To protect." It's no longer sufficient to take for granted that which we use up in our environment. We must now husband those resources, we must protect them and we must recognize that as one species disappears per hour on this planet, this is no longer tolerable. This bill, in a way that the legislators of this place have debated it, is recognizing the need to protect species, to protect flora and fauna and to protect them not just in the province of Ontario, but to set the example for the world that it must also move in this direction.

To "conserve." This word is very significant in the context of this bill, because to conserve means you recognize that there are limits to what we can use up, that it's no longer sufficient to dig all the resources out of the ground and to just throw them away when we no longer have use for them, that it is no longer sufficient to say that we can burn the coal, that we can burn the wood, that we can use up all of those resources without recognizing that the very existence of humanity on this planet recognizes that they need to be conserved.

As the population of this world moves towards a doubling to 10 billion people over the next 20 years or so, we have to recognize that the resources we are using now have got to be, and I will now use the word, sustainable. To conserve means that we must recognize that the demands we are placing on this world, this finite globe upon which we live, cannot continue in the reckless way that we have in the past.

To "restore the integrity" in this bill says that we've already done damage. There are people who still do not recognize that we have done damage to the environment. I don't know where they've been. Perhaps they could watch a weather forecast and find out that the ozone and the ultraviolet rays are doing damage to people and causing skin cancer, but it's essential that we recognize that we have to restore the integrity of the planet.

To give you an idea, we are experimenting with this world in a way that has not been experimented with in anything of this scale before. As we burn sulphuric coal, we put  $\text{SO}_2$  in the atmosphere. Methane gas, nitric oxide and a whole host of other chemicals that we put

into the atmosphere are changing the chemical makeup of this planet, and it says here that we must "restore the integrity."

I agree with that wholeheartedly because to continue this experiment could and will cause serious damage as the greenhouse effect takes place, as the amount of ozone in the atmosphere increases, as the amount of carbon dioxide increases, and as the ice in the polar regions melts, whole countries will disappear as the level of water increases. We have said here with this bill, and calling it the Environment Bill of Rights, that we will accept some responsibility for what we are doing.

Clause (b) says, "To provide sustainability of the environment by the means provided in this act." What does "sustainability" mean? For a long time now we've heard this bandied around, sustainable development. It's been argued among environmentalists that the development industry got the word "development," and that the environmentalists have been stuck with "sustainability" and haven't gotten anywhere. I don't think that is the case when it comes to this bill, nor do the other actions that this government has taken. What it means is that we have to recognize that we can no longer just take out of the environment what we want, use it up or use it and throw it away without any significant harm being done.

It means that we have to, in our industries, create an industry that will reuse, recycle and recognize that the waste that is coming from that industry must now be viewed as a resource to be reused in the future.

It's not sufficient, and it's unfortunate that the other members who have landfill sites being selected for their ridings, and it's all over Ontario, are not here. But the point is that landfill sites are monuments to our inefficiency, are monuments to the mistakes of the past and are monuments to the fact that we have not yet recognized that the resources that are being buried in them should be reused, not just for now but for all future generations, that the energy we are losing from them and is being dissipated means that we are all becoming diminished in terms of who we are and what we are in the environment.

Clause (c) says, "To protect the right to a healthful environment by the means provided in this act." The right to a healthy environment: More and more we're becoming aware of our connection to the environment around us and the fact that the environment plays an important role in our wellbeing, that carbon dioxide and sulphuric acid in the atmosphere are causing huge health problems.

If people are concerned about taxes and are concerned about costs, I think we have to start to recognize that with the ever-spiralling increases in taxes and costs to pay for health care, the only way we can bring these costs into control is through a healthy environment

where we as individuals are healthy in our own right and therefore are not a burden on our fellow man for taxes to pay for our health care system.

It means that we need to recognize that the food we eat, that nurtures the bodies of everyone, if contaminated, will contribute to an unhealthy environment and an unhealthy being. If that is the case and if we recognize that, then we go back to clause (a), where it says we have to protect and restore the integrity of the environment.

But it goes beyond that if we're going to talk about that in terms of agricultural land, in terms of food production. As the population of the world doubles over the next 20 years or so, we have to recognize that part of the problem we're creating is in urban sprawl, the fact that in this area we're using up some of our best agricultural land for subdivisions and for buildings and that we're not protecting that heritage in terms of protecting our agricultural lands.

This government instituted the Sewell report. Its recommendations on this are very clear: the protection of class 1, 2 and 3 agricultural land. Some of the best agricultural land in the world you can see from the CN Tower, and we are rapidly using it up. I ask you, what will that do to the cost of food in the future and what will it do to our standard of living should we not protect our agricultural land and should we allow the developers to continue to sprawl into the agricultural areas around our towns and around the city of Toronto?

**Mr Steven W. Mahoney (Mississauga West):** Build them up instead.

**Mr Murray J. Elston (Bruce):** "Intensification" is the word.

**Mr Mahoney:** That's right, build them up.

**Mr Wiseman:** Intensification. Well, in fact, if you want to talk about that for a second, one of my towns has some of the best densities outside of Metropolitan Toronto. They need to be applauded for that, and it's a very livable town. It's a very livable place.

"The purposes set out in subsection (1) include the following:

"1. The prevention, reduction and elimination of the use, generation and release of pollutants that are an unreasonable threat to the integrity of the environment."

It's interesting that just last weekend the eight—what shall we call them—biosphere bionauts came out of the Biosphere 2. For those of you who don't know what this is, it was a huge enclosed area in the southern United States that tried—the operative word here is "tried"—to mimic the biosphere of the earth. Biosphere 1 is the earth. Biosphere 2 was the artificial creation of the earth within this context.

**Mr Chris Stockwell (Etobicoke West):** In the desert.

**Mr Wiseman:** In the desert, that's right. It didn't quite work. Carbon dioxide increased. The amount of food that was produced was not sufficient. Oxygen had to be pumped in on a number of occasions.

**Mr Stockwell:** Garbage.

**Mr Wiseman:** Actually, the garbage was not a big problem because they were reusing everything, Mr Stockwell. If you want to talk about garbage, I don't, because the very use of the word "garbage" clearly indicates that you haven't been listening to what I've been saying, that we should be reusing our waste stream in a way that is productive and not counterproductive.

As we look at the Biosphere 2, we know that the ability of the earth to take care of the effluents that we're pumping into it is not sufficient, that at some point the earth's ability to remove the contaminants will be overloaded.

By saying that there should be an Environmental Bill of Rights, we're saying that we need to be cognizant of that and we need to move forward to eliminate that. In fact, some of the legislation that has come out of this government on chlorofluorocarbons and the use of refrigerants is moving in that direction. We need to do even more, because we know that what could happen is that the triggering effect of the destruction of our forests and our oceans could be very instrumental in reducing the amount of oxygen available to us in the future.

I see with some great fear that we continue to chop down the rain forests in Brazil, for example, so that McDonald's can have beef for their burgers. I worry about the fact that in North Pickering, for example, there are 40,000 acres of prime agricultural land which, at one time, produced a million pounds of beef a year, produced four million gallons of milk, produced somewhere in the neighbourhood of 200,000 chickens, 45,000 bushels of wheat and 600,000 pounds of pork, and it does not produce this any more.

I see the potential of that area in North Pickering and I see; to be a little partisan, what the federal government is intending to do with 5,000 acres of that land, and I think they haven't got the point. They talk a good line, but in terms of the environment and protecting the environment, they haven't got the point. They're prepared to sacrifice that land and that potential on the altar of the almighty dollar.

"The protection and conservation of biological, ecological and genetic diversity." It's interesting that Dr David Suzuki, for the last three nights on public television in the United States, has been talking about this issue, talking about the fact that human beings are connected to the world around them, by more than just the need to have fresh air and fresh water and food, but also genetically, and that genetic damage can happen when we start to play around with the environment in ways that are unnatural and ways that we do not know;

that birth defects can arise out of a whole host of chemicals and products that we put into the environment.

It was interesting that yesterday the member from Mississauga talked about her opposition to incineration. While we know in the world that if you incinerate, you can create furans and dioxins, that these are going to escape into the atmosphere and will be spread over a very wide area and that these are carcinogenic and can cause cancers in people, we do not know what the experiment is that we are dealing with as we put ever more effluents into the atmosphere. We don't know what it's going to do, yet we continue to play around.

**Mr David Tilson (Dufferin-Peel):** What about the water?

**Mr Wiseman:** The member for Dufferin-Peel says, "What about the water?" Absolutely, what about the water?

We continue to be strapped to the old idea that diffusion is the solution to pollution, by building sewage treatment plants that lace the effluent with chemicals and then dumping it straight into the lake. I have one in my riding. It takes all of the sewage from Pickering and a lot of the sewage from York, up where the Keele landfill site is—in fact, the Keele landfill site is tied in to that sewer system—yet it comes down to Lake Ontario and winds up to be partially treated and then dumped into the lake.

This is not acceptable. There are solutions to that problem: solar aquatics, tertiary ponds. We can clean it. We don't even have to use as much water in the system as we are now; in fact, we should be using hardly any water. There are composting toilets. There are systems we can put into place that will eliminate and actually be part of the solution by reusing the products. By throwing them away, we throw away the potential. By constantly throwing things away and not reusing them, we lose the potential for their use.

We have to be cognizant of that when we start to talk about issues in here. I repeat, the fact that we've renamed this bill the Environmental Bill of Rights I think is a clear indication of the desire of this legislative body to make those decisions that we make in here in recognition that we are part of the environment in which we live.

"The protection and conservation of natural resources, including plant life, animal life and ecological systems": As ecological systems break down, so does the very fabric of society. As people's needs and wants at the very basic level of food, clothing and shelter break down and are not being met, we see greater tensions in those societies and greater afflictions that are caused by the breakdown of the environmental support systems they rely on.

I think we have to recognize that and we have to start

dealing with those issues and recognize that environmental conflict, environmental dissipation, is part of the problem of increased crime rate. Where there are too few resources to be shared, you get conflict. As the world's population doubles, and that's the third time I've mentioned that, within the next 25 years, these issues are going to become even more pressing. Where will the jobs come from? Where will the sustainability come from? How are we going to meet the needs of the energy for these people as the population grows? The Environmental Bill of Rights begins the process of that discussion, it begins the process of trying to solve those problems.

"The encouragement of the wise management of our natural resources, including plant life, animal life and ecological systems." I think we're beginning to move in that direction. In April 1991 I introduced in this House a resolution that said that we should protect the wetlands. It was a resolution that had been presented by previous members. It was passed unanimously by this legislative body, for which I thank the members. What's interesting, though—all the other resolutions were passed as well, but in June 1992 it was put into section 3 of the Municipal Act, so we now have wetlands policy protection in Ontario, the beginning of the protection of a very important ecosystem.

"The identification, protection and conservation of ecologically sensitive areas and processes." In my particular area, my riding of Durham West, this government needs to be applauded for the sensitivity that it has shown in this area. Already we are moving in the direction of protecting ecosystems. With the establishment of the Rouge park, with the establishment of the agricultural preserve, the fact that the Rouge park is as big as it is—I think all members should take pride in the fact that it's as big as it is.

But just recently this government has moved beyond that and said that the connection between the Rouge Valley and Duffins Creek in Ajax should be connected with a corridor so that species of animals and flora and fauna can drift between these natural habitats so that their genetic pools do not become isolated and they do not become extinct as species for want of a place to live. In order to facilitate the growth of this corridor, I am proud to say that this government purchased the Altona forest in Pickering, one of the last remaining plateau or tableland forests in southern Ontario, and has protected it and its wildlife in a size that is large enough that the genetic species that are in there will be able to be connected to the corridor between the Rouge and Duffins and that they will also be able to migrate back and forth. This is an important recognition of the need for us to build these kinds of habitats, and so I thank the Minister of Environment but especially I thank the Minister of Natural Resources for the efforts that they've put into that and the recognition of the need to

protect the environment in this way.

**1640**

"In order to fulfil the purposes set out in subsections (1) and (2), this act provides,

"(a) means by which residents of Ontario may participate in the making of environmentally significant decisions by the government of Ontario;

"(b) increased accountability of the government of Ontario for its environmental decision-making;

"(c) increased access to the courts by residents of Ontario for the protection of the environment; and

"(d) enhanced protection for employees who take action in respect of environmental harm."

This is a significant move because, as I've said earlier, we are all part of the environment and the world in which we live. That confers upon all of us the responsibility to act environmentally. It confers upon us the responsibility that we must, as individuals, recognize when pollution is taking place and take actions to remedy it.

But it also confers upon the owners to recognize that you really don't own this world; you're merely an inhabitant going through the process of life to some ultimate goal. But in that process, as the natives of North America would say, "You are borrowing the world from your children," and if we are not going to return the world to them or if we're not going to turn it over to them in better shape than we have got it, then we fail the future generations by not being progressive in our thinking. We fail them by saddling them with a debt far more onerous than the monetary debt that currently occupies everybody's thinking.

The environmental debt and the failure to deal with it will set burdens upon future generations that mere monetary debt will never, ever come close to being. The need to retrofit, to regain from the environment the losses that we have inflicted on it over the last 35 or 40 years, the need to clean up the atmosphere, the need to take the chemicals out of the atmosphere, these are costs that, if we do not deal with them now, will escalate at a far more rapid rate than the mere accumulation of the dollars and cents that has preoccupied all of the federal leaders in this campaign. I submit to you that the issue of debt is how we're going to establish green industries, a green economy, sustainable development and restore the balance of nature so that future generations can experience the bounties of the seas and the fruits of the trees from the Niagara Peninsula and the bounties from the forests. If we use them all up without recognizing that we have to move towards sustainable development, then that is a debt that I think we should not inflict on future generations.

**The Deputy Speaker (Mr Gilles E. Morin):**  
Questions or comments?

**Mr Tony Ruprecht (Parkdale):** I've listened

extensively to the member for Durham West, and he made an eloquent plea. Of course, his presentation is quite extensive and he's describing, I think, our civilization quite rightly when he says we're into a mode of burning, slashing and subjugating the environment. There's no doubt about that.

Obviously, this bill talks about protecting, conserving, sustaining and restoring the integrity of the environment—no doubt great goals—and we all know, I think, the litany of what needs to be done. We know, for instance, that every second we're losing one acre of farm land and of forest land in the Amazon. We're changing the chemical makeup of our world. Then he's talking about the greenhouse effect—of course, we know that; the ozone layer is being destroyed—more carbon dioxide; and we're losing species after species, no doubt about that.

My question is, when he then gets into the political arena and he congratulates the Minister of Natural Resources and he congratulates the Minister of Environment and he says, "This government has done a great deal about the environment," I'm standing here and asking him—

**Mr Drummond White (Durham Centre):** He's right.

**Mr Ruprecht:** Well, he should do more and he says he will do more. My question is, what will he do? Is he prepared to talk to the Minister of Environment and say, "Okay, let's reduce our landfill sites"? Are they going to do that? We want to know which ones. I'd be happy to support that, obviously, and we would be on this side to support that, but they're not. They will not do that. They're not in the mode to do that.

Is he willing to talk to the Minister of Agriculture to in fact enhance and maintain the policy that we do not wish to lose any more farm land? Is he going to stand up and talk to him? Has he got a specific policy?

Is he going to talk to the Minister of Education and say, "Minister, there should be a program in each school"? Each child should be subjected to some kind of environmental bill of rights, and students in schools should obviously be taught about these things.

Is he ready to talk to the Minister of Health and talk about pollutants and how pollutants affect the health?

Is he ready to talk to the Minister of Natural Resources in terms of protecting our wetlands? Is he willing to do that? That's what we want him to do.

**The Deputy Speaker:** Your time has expired. The member for Dufferin-Peel.

**Mr Tilson:** The member for Durham West has made some excellent points on the problems of environment in this province and this country. The difficulty I have with what he's saying in relationship to Bill 26 is that many of the things he wants to talk about, whether it be incineration, really can't be talked about by people in

this province, specifically if you're looking at the problems in Durham, the superdump that's going to be put in Durham.

I have a resident from Cheltenham who has been trying to communicate with not only Mr McIntyre but the Minister of Environment since last June to talk about the very thing that you're talking about in this House, and that's the subject of incineration. Of course, the minister will say: "No, Bill 143, we're not going to talk about incineration. We're ruling that out. We're not even going to debate it in this House." There's not going to be an opportunity to debate it, notwithstanding the fact that the member for Durham East stood up and made some comments against incineration. That's his right, but there are also other sides to a debate. I have, in the time I've been in this place, which isn't as long as he has, yet to hear that.

Here's a member, Mr John Tysoe from Cheltenham, who has written me, and I in turn have written Mr McIntyre and the minister. I want them to respond to very good questions on the topic of incineration. I mean, you may be right, but at least let's have an opportunity to discuss it. Bill 26 says, "No, we're not going to deal with that because that's the superdumps. We have an Interim Waste Authority. No, you can't talk about the hydro lines that are going to go through our farming communities; we've got Hydro and other people who are going to look after that." You can't deal with it, so what teeth has the bill of rights? What teeth does the bill of rights have? Is the bill of rights going to give Mr Tysoe the right to go and complain about the superdump in his riding, or individuals in your riding? The answer is no.

**Mr White:** I'd like to commend my colleague from Durham West on his speech and his excellent points on the Environmental Bill of Rights. Mr Wiseman, the member for Durham West, has been known in our area as an avid defender of environmental issues. When he talks about the Environmental Bill of Rights and how it would empower people in his riding, I think it's important to note that it's an ecosystems approach that he's talking of. It's not just the Environmental Bill of Rights; it's also Bill 143, which reduces waste through reducing, reusing and recycling.

My colleague across talked about a superdump in Durham. This government has protected the people of Durham from a superdump that the Liberals would have thrust upon us. In Durham, despite the Liberals who are presently in power at the municipal level saying it's going to be a superdump, it is going to be a dump for Durham garbage and Durham garbage alone, and it's going to be selected through a careful process, a process that will be monitored by my friend from Durham West, a process that my friend will scrupulously ensure is done as well as possible.

The issues that he brings up about the protection of

agricultural land, the issues about protection of our children's future, that issue about an environmental preserve and the privilege that we presently have that we have abused, those are issues of a moral and ecological consciousness that I think we do well to listen to. I commend my friend for having brought up these issues to our attention so frequently and for so assiduously pursuing these issues.

**1650**

**The Deputy Speaker:** Further questions or comments? If not, the member for Durham West, you have two minutes to reply.

**Mr Wiseman:** I would like to refer to a couple of things. In terms of agricultural land and the preservation of agricultural land, yes, there is work being done. The Ministry of Agriculture and Food is working on it. The Sewell commission has outlined it. But just a minute. Let's stop and take a look. Is it just the responsibility of the government to do this, or is it everybody's responsibility to preserve agricultural land? Is it not also the responsibility of the developers who are out there buying up this land for urban sprawl to recognize that they are part of this community and that they have to exercise their moral obligations as well? Just because they're developers, it doesn't remove their obligations to be part of the society.

Education, yes; environmental studies are being taught all over the place. The Durham Board of Education has one of the best environmental studies programs anywhere in Ontario. If anybody wants to know what they should be doing, I suggest they get in touch with Louise Farr, who is the chair of the board of the Durham Board of Education, or Pauline Laing, who is the director. I think they would be more than willing to participate.

In terms of incineration, the member missed the point. If you burn up the product, it is gone. The second law of thermodynamics, called entropy, says that if you burn it, you cannot reuse it. It becomes diffused and therefore useless. But if you take the products from the waste stream and you say, "We can do this with them: We can make products out of tires, we can recycle the plastics, we can recycle the wood, we can compost the kitchen scraps and we can reuse that to restore our agricultural fields," then we're starting to move in the direction of understanding what sustainability is all about.

**Mr Stockwell:** He's being way too assiduous.

**The Deputy Speaker:** Thank you. Any further debate?

**Mr Mahoney:** Do you think he could spell "assiduous"? I'm not sure. I was impressed that he actually pronounced it.

I'm pleased to talk about some of the concerns I have around this bill and around the whole issue of—rather

than an Environmental Bill of Rights, I think of it, when I look at who's putting it forward, as the politics of the environment. I listened to the speeches about stopping—what was it?—urban sprawl, stopping development. You know, I go back municipally into the mid-1970s. In 1969, there were three secondary plans released in the city of Mississauga for development purposes and today I don't think they'd appreciate being called urban sprawl. Some of us have middle-aged sprawl, but they're communities. They have got—

**Mr Elston:** Name names.

**Mr Mahoney:** I will name names: the communities of Meadowvale, the communities in Mississauga Valley, the communities in Erin Mills. They're communities with real people. They create employment. There are jobs in that community, right in the community. In fact, Mississauga is, you might be surprised to know, a net importer of jobs. More people actually come to work in Mississauga every day than leave to work somewhere else.

That's because we've worked with those nasty developers over the years to find a way to build communities that are compatible for jobs, that are compatible for families, that have schools, that have churches, that have community centres, that have—let me tell you, Mr Speaker, talking about the environment, that in the community of Erin Mills, you can walk from the southern part of Erin Mills around Dundas and Mississauga Road, right up to the north, almost to Eglinton, through valley systems. In fact, you would go through some of them and you would believe you were in the middle of Muskoka.

These are what these terrible developers did, in conjunction with the city planners, in conjunction with the ratepayers, in conjunction with the municipal politicians, at a mixed density.

**Mr Wiseman:** At what density?

**Mr Mahoney:** The member says, "At what density?" These communities do not want all high-rises. They live there, they have to raise their families there and we need a mix. We understand, in urban planning, that you take a balance of the needs of the community and the needs of the environment and you make it work.

You have to involve business and industry at the same time, and not just all little empty industrial plazas. We need real businesses in our communities that create jobs, not vacant office space all over the place because people are worried about various things that might affect the environment. It's our job and the Ministry of Environment and Energy's job to ensure that things are put in place, that proper abatement procedures are put in place, to allow industry to coincide and live harmoniously with residential and other business and industrial communities.

This idea that we should just stop development:

Mississauga not long ago was considered purely an agricultural community. In fact, if you go into, I would say, the mid-1960s, which for many of us is not that long ago, it was very substantially agricultural working farms in that community.

When you take a look at the growth in the GTA, does it make sense to continue to farm land as close to Toronto as that, as close to the major infrastructure that exists, with the roads, the highways, the airport, the rail services, the shipping? Does it make sense to leave that as barren or leave it as purely agricultural farm land when in fact in the southwest, in communities in Bruce and down in London, there's terrific agricultural land that is under a preservation policy by the Ministry of Agriculture and Food? And so it should be, but you've got to balance these things.

In those days of development and growth in Mississauga, we dealt with the community groups that came forward and said: "There should be no more development. I'm in the boat. Pull up the ladder and let's stop all of this." I ask people just to reflect. That may be sexy politics to the people of the day who are dealing with it, but think about the great things that we get. I ask you, would we get the community centres, the swimming pools, the arenas, the parks for our children? Would we get the facilities that we have in our community and in all communities around the province if we didn't have some kind of growth?

The buzzword today is "sustainable development." It used to be that it was "sequential development by criteria." That was the buzzword back in the 1970s and I guess that meant phasing it and you set out the criteria.

There are bad developers, there are bad industries, there are bad business people, there's no doubt about that, but the vast majority of them understand, and through an educational process of working and urban planning and urban development, they come to realize that what is good for the community will be good for them. If they transfer some densities that are too high because the community doesn't want a bunch of 30-storey apartment buildings staring down on their backyards, and they lower those apartment buildings to make them work with the community and make them work with the environment, then I ask, what in the world is wrong with that?

You have people who believe that we should just crowd everybody. That is the mentality of the current government. Their policies on intensification are creating havoc in the communities that are trying to plan some kind of sensible growth in their communities. If we allowed this government to simply implement the ideological policies of the New Democratic Party, we would indeed stop development and growth. I maintain, and I'm one not afraid to say, that would be catastrophic for our future and for our children's future. We need

the planning controls, there's no doubt, but they're there.

That raises another issue. This government sets up a commission headed by our friend John Sewell and gives him three million bucks to spend to travel around the province figuring out how he can amend the Planning Act. I understand we're still waiting for the final hammer to fall on that particular report, but we've got all kinds of recommendations about how people should be interfering in that process, when any kind of reasonably sophisticated municipality understands what the problems are.

You have to have a policy of give and take. This kind of rigidity that I see coming out of what is really motherhood, an Environmental Bill of Rights—who in the world would be against that? How could you not support a position that would put in place rights for everybody to have a wonderful environment?

It reminds me a little bit of the ads for the National Party, I think it's called, in the current federal election, where Doug Henning, the magician, says he's made elephants disappear, so he can make all our problems disappear.

**1700**

**Mr Elston:** The Natural Law Party.

**Mr Mahoney:** The Natural Law Party, the ones who sit and play yoga in padded cells. Wonderful stuff: "We can solve all your problems; just trust us."

I think that's what this government is trying to do, as they all hug a tree, wrapping themselves in some kind of environmental flag to say to the people out there, "We're going to create an Environmental Bill of Rights that will give you protection," when what is really needed is for the current ministry and the current minister to enforce the ministry's regulations where they need to be enforced and to say to the municipalities, which are living with these problems every day, that we expect the environment to be taken into account in the planning process. That would come as a great shock, let me tell you, to the people in the region of Peel and the city of Mississauga: "Oh, you really expect us to consider the environment." What a bunch of nonsense. They've been doing it for years.

This government comes along and pretends, because the former minister, Ruth Grier, the member for Etobicoke-Lakeshore, promised when she was standing over here, and indeed introduced private member's bills, to introduce some Environmental Bill of Rights for people—Mr Speaker, the scary thing is, take a look at what they're creating. Take a look at what they're already facing.

They bring in a social contract to reduce the size of government, yet they won't look at my private member's bill which would abolish the Office of the Ombudsman. Let's talk about \$10 million a year. How

much do you think an Environmental Commissioner is going to cost?

This bill says that any two residents of Ontario who are 18 years of age or older could request a formal review of a policy, act or regulation by submitting a standardized form to the Office of the Environmental Commissioner, and they're going to have a hearing. Any two people over 18 years of age can simply say: "I want a hearing. I don't have to justify my reasons. I don't have to be accountable for any of this. If it turns out that my complaints are frivolous, it's too bad that it cost the taxpayers a bunch of money. It's too bad that it cost the company in question a bunch of money. We've got our Environmental Bill of Rights and we're going to demand a hearing."

That's the same thing you do with the Ontario Municipal Board. According to Mr Sewell, we're going to have OMB hearings on Sunday shopping coming out our ears because you people are giving the right to anybody to appeal a decision to the Ontario Municipal Board. The regulations, the red tape, the bureaucracy that this government is setting up will not only negate what you think you might have accomplished in the social contract, it will increase the cost of doing business for everybody; ultimately, that's going to cost jobs and that's going to impact every taxpayer in this province.

Let's not be fooled by this attempt of the government to wrap itself in some form of environmental protection flag. The systems are already in place.

**Mr Randy R. Hope (Chatham-Kent):** Where are they?

**Mr Mahoney:** They're already in place in the ministry. If they're not, I say to the member, go talk to your minister. Why don't you talk to your minister if you don't believe he's enforcing the—

**Mr Hope:** What about the blob in 1975? What about the St Clair River? Talk to Jim Bradley about the St Clair River.

**Mr Mahoney:** There are no new laws. Let's not mislead the public here. There are no new environmental regulations in this bill. You're creating some office—maybe they'll pull Odoardo Di Santo out of the Workers' Compensation Board and put him in as the commissioner; I'm sure he's an environmentalist.

**Mr Ted Arnott (Wellington):** Robin Sears will be available soon.

**Mr Mahoney:** Robin Sears? No, he's still in Tokyo working, I understand.

You're going to create a nice, new office for some NDP hack who's going to be a commissioner of the environment, and he's going to hire 10 or 12 NDP followers, maybe even some of you when you're out of work in about 18 months, although we'll put a stop to that. He's going to come in and he's going to all of a

sudden conduct hearings all over the province. He's going to travel around—I can just see it now—and to what end?

Why could we not have just some serious policy statements about what this government believes is important, and have them in here? Why not just set out some rules and live by those rules? Instead, you want to set up some fancy commission. Look at this, this will be part of it: a requirement that formal statements of environmental values be prepared by each of 14 ministries which make decisions with environmental consequences. It almost sounds like the Environment minister is passing the buck here.

Ministries that would be subject to this bill of rights would be, of course, Environment and Energy, Natural Resources, Agriculture and Food, Transportation, Municipal Affairs, Housing, Labour, Management Board, Northern Development and Mines, Consumer and Commercial Relations, Finance, Health, Culture, Tourism and Recreation and Economic Development and Trade.

What you're doing is taking every ministry and saying: "You have another process to go through, and bear in mind that everything you do can be challenged by two residents in the province 18 years of age or older. We want you to follow these guidelines and these restrictions and come in with all of this new red tape."

It wouldn't frighten me nearly as much if it was anybody other than the NDP promoting this. I'm telling you, it frightens me. You people are dogmatic, you're ideological, you're not prepared to look at things in a pragmatic way that would create a sense of balance in the community, and that frightens me.

The Environmental Commissioner: You're setting up an office without authority but an ability to slow everything down and create more red tape.

An electronic registry; this is fascinating. I wonder if it's a mailing list for fund-raising. What do you think? A new fund-raising mailing list for the NDP on an electronic registry, and there are people who have estimated that the cost of implementing this electronic registry could be in the tens of millions of dollars. We know for a fact that this agency, once it's set up, will go from zero to \$10 million in about 60 seconds. We know that's going to happen because it has happened everywhere else. Your health and safety agency's minimum operating costs—I'll be fair to the co-chairs. They claim it's \$6.5 million; documentation I have shows it's closer to \$10 million.

We know that's what's going to happen here. We do not need another agency in this province. We do not need another level of red tape and another level of regulatory powers being given to some potentate appointed and anointed by Bob Rae because he or she happens to be out of work and doesn't have an NDP

seat available for them to run for.

The most fascinating thing about this is the exemption that's being granted. Here they are. If you believe their statements that they really believe in this Environmental Bill of Rights, if you believe that, then you would have to ask yourself, why would they exempt Ontario Hydro?

**Mr Arnott:** On a point of order, Mr Speaker: Is there a quorum in the chamber?

**The Deputy Speaker:** Is there a quorum?

**Senior Clerk Assistant and Clerk of Journals (Mr Alex D. McFedries):** A quorum is not present, Mr Speaker.

*The Deputy Speaker ordered the bells rung.*

**The Deputy Speaker:** A quorum is present.

**Mr Mahoney:** I guess I'm going to have to start over again. I wish I could. Would you put the clock back to 30 minutes so I could start over again?

As I was saying, if you believe the government's comments, its sincerity about believing in the Environmental Bill of Rights, you would have to ask yourself, why would it exempt government agencies like Ontario Hydro? I find that incredible.

I go back to the days when the Conservatives were in power and we were building some bridges in Mississauga. They came along and said, "We don't need to abide by the environmental rules; we'll just put the bridge right across here." We said: "Just a minute now. You can't give yourself an exemption to the rules that you expect everybody else in the community to live by." It was a group of citizens who stood up and said, "Stop," and we got the position of the particular bridge moved, but not without, as you can well imagine, an awful lot of heartache and work on the part of the ratepayers.

## 1710

But where does government get off thinking that it can exempt itself or that it can exempt an agency such as Ontario Hydro? Think about it. There are parts of this province where hydro's not yet available. Imagine the environmental impact if they are to put hydro in. It's going to go in. It's got to go in. That's progress. You can't leave those people sitting out there without lights very much longer. You're going to tell me that there's an Environmental Bill of Rights for everybody in Toronto, but when you get up into the far northwest, where we're going to run hydro lines, people don't have a right to challenge it because it's Hydro? I don't know how you can justify that. If you really believe in this kind of stuff, you've got to go all the way. You're creating a double standard on this.

I think the most important thing about the whole issue, however, goes back to some speeches that have taken place in this House on this issue in recent days. I have a lot of concerns, as does anyone. Anyone who

says that anybody in this place doesn't care about the environment or the future for their kids I think is nuts. I believe you care about that, just as I'm sure we all care about that on this side. It's government red tape and government regulation. It's attitude. It's a lack of balance. It's a lack of recognition that what we need to do is create good, quality development in our communities. As I said before, we have to have industry coexisting with our residential communities.

Many people in this place often get a kick out of the member for Mississauga South and me, who from time to time have disagreements. We had one yesterday; I'm sure we're about to have one today. But the speech that I heard yesterday is a clear example of the thing I'm talking about, and it's not coming from a member of the New Democratic Party; it's coming from a member of the Conservative Party, suggesting in fact, if I read from Hansard in reference to St Lawrence Cement, "Why won't the Ministry of Environment and Energy suspend St Lawrence Cement's licence to burn until the company can demonstrate, through appropriate testing, that the resulting emissions are safe?"

There's an ongoing debate. In fact, an order was issued to St Lawrence Cement and it has appealed that order. Is the member for Mississauga South or anyone else in here suggesting that the right of appeal for the corporate sector should be withdrawn, or simply that when you get an order from any level of the government and any ministry you must lie down and comply? The order that they were given would cost the company \$10 million. They have a right to question that order. They have a right to say, "We don't think that's right." Even the residents' group that's working on this issue very hard, which I have also talked to, says: "We don't want to shut down St Lawrence Cement. We want to have the tests done." The people at St Lawrence Cement agree with that.

Indeed, even the minister has agreed with that. A letter that I know the member for Mississauga South and other members of her caucus have seen, addressed to Gary Carr, the MPP in Oakville South, talks about St Lawrence Cement "under a section 9, formerly section 8, certificate of approval which permits the company to burn a complex mixture of chlorinated aromatic hydrocarbons. The certificate was originally issued in 1975." Of course that should be updated. That's part of the process that's going on now. Do we tell them to shut down? If you prohibit a cement company from burning, from using its kilns, you close its doors. I don't think that the people who work at St Lawrence Cement and who work in the cement industry want to have their jobs put on hold while the ministry dawdles. The real argument here and the real criticism here should be at the ministry.

I understand that the test that was done in 1989 is not satisfactory to the residents. I understand that. But this

is signed by Bud Wildman, the minister, in which he says, "MOE staff from the ministry's Oakville district office have routinely monitored the operations and in 1989 the ministry's air resources branch completed a mobile air quality survey in the community adjacent to St Lawrence Cement." This is the minister. "While the company was burning solvents, the ambient air was screened for 132 different volatile organic compounds, several common contaminants, PCBs and dioxins/furans. For all pollutants, the concentrations recorded were very low, and none approached or exceeded the ministry's guidelines." He goes on to say, the minister, that this plant does not pose a health risk to people living in the community around it.

The people don't believe that. The people are worried. And the minister, I'm sure, understands how people are concerned about that.

But do we put them out of business? That is my concern. Even the resolution that the member enjoyed pointing out was passed by Mississauga council and that I have a copy of does not call for them to shut down their operations. That resolution simply calls on the ministry, and that's where the onus belongs. The onus belongs on the ministry, and it calls on them.

**Mr George Mammoliti (Yorkview):** I want to know what Hazel thinks.

**Mr Mahoney:** Well, you'll never know, actually. It could change from time to time.

It calls on them that "the minister be requested to take all steps," including appropriate compliance audits, the issuance of an appropriate stop order and/or an additional director's order, to ensure that St Lawrence conforms to the ministry director's order/Environmental Appeal Board's decisions.

There is an appeal going on. Is the city of Mississauga council suggesting that they should go in and ignore that appeal process and strip St Lawrence Cement of its rights to appeal the decision? I think not. In fact, I've talked to Councillor Mullin and I've talked to the president of the ratepayers' group, and they are not looking to do that. They want answers and they deserve answers, and I support their getting it.

I just take strong exception to a member of this Legislature calling for a ministry to shut down a very viable business in this community when what really needs to be done is the Ministry of Environment needs to go out—in fact, they did some tests in 1989. I understand they were mobile, I understand they were in some cases 10 kilometres away, and they're not acceptable. Why don't they do them properly? St Lawrence Cement will cooperate with the ministry. They are the Ministry of Environment and Energy. It is their responsibility, and all members in this House should be calling upon them to go out and conduct the appropriate tests, not only in this example but in many countless

examples throughout the province.

The politics of the environment is such that if you speak against an environmental bill of rights, you're against the environment, and I reject that. The politics of the environment is such that if a group of people suspect there is a problem, in some cases they can call for a particular operation to be shut down, and I reject that. We have to have some common sense in this. We have to have some balance. Whether it's St Mary's Cement or St Lawrence Cement, whoever it is, this government has just arbitrarily decided, with no justification, no backup, no reasoning, that there will not be any burning of tires or waste or anything of that nature in a cement kiln. Asked and pressed for a reason, they can simply say: "Because. It's NDP policy." Why won't they allow for an environmental assessment hearing to take place on such an important issue? Why will they not let all of the issues come forward to the table so that everybody involved in the issue can express their concerns?

I understand people would be concerned, not only about environmental issues from the burning, but they'd be concerned about trucking, they'd be concerned about the problems of waste, be it in the form of tires or be it in the form of domestic waste coming into their community, the potential for rodents and other infections, other problems that occur. No one is going to support, in my party, placing a dump in the middle of a residential community, although it appears that the IWA is well on the way to doing that.

But I don't understand how you can close your eyes to these things. It is beyond me how this government can just allow ideology to dominate the environmental issues that are so important to the growth and the future of our communities.

The environment can work hand in hand with growth, with development, with the political process. What we must avoid doing if it's at all possible is using it as a tool to promote our own political position.

1720

We have the accessibility of experts who can give you all kinds of differing opinions and it's our job to sit down calmly and rationally. I believe that the citizens will do that and that they don't need some commissioner to go to. This will turn out that they won't be able to get hold of him anyway. It'll be like every other agency that's ever been set up, when you think of them, whether it's health and safety or whether it's the pay equity police. Our party has to accept some responsibility for some of this. I admit that.

It's time we reinvented government. It's time we said that we are no longer going to put in place all of these layers that are going to force people to go through hoops to get answers. Why do you think we can't get answers on the St Lawrence issue or on many other issues? It's because of the ineffectiveness of the Minis-

try of Environment and Energy to do the proper studies and the proper work that need to be done. I suggest that this particular bill, this Environmental Bill of Rights, is going to exacerbate that, that it's going to add to that in a major way and just simply create additional problems.

One final example: I use the example of logging. This government's well familiar with it. When activist groups—wasn't it Bob Rae himself who was almost arrested? They let him off. They put Drainville in the slammer because he chained himself to a tree. The whole idea was that you can't take down trees, when in fact if you do it with proper planning, you replace those trees. It's harvesting, for goodness' sake.

How do we build in this country if we don't harvest our forests and do it under some kind of management program that makes sense to ensure that this is a renewable resource we are able to use and leave for many generations to come, for ever, however long that is? There's no reason not to. But you get caught up in the environmental issues and they're not even really environmental issues; they're special interest groups. This government more than any government in history can be dominated because most of them come from special interest groups. We know who pulls their chain.

You've got to take a look at these issues with some sense of balance to make sure that a community can grow, be it in northern Ontario in logging, be it in southern Ontario in the cement business, be it in southwestern Ontario with the fisheries in Lake Erie, be it wherever you go in this province, be it in the areas of this province where they've yet to get hydro. You've got to create a balance. What we need here is a balanced bill, and I suggest we don't have that. We don't have it from this side of the House and we sure don't have it from the Conservative Party. I suggest this bill should be withdrawn and revamped with a thought towards balance and future sustainable development in this province.

**The Deputy Speaker:** Questions or comments? The member for Mississauga South.

**Mrs Margaret Marland (Mississauga South):** It's really interesting to hear the member for Mississauga West stand up and speak in favour of industry when he should really be speaking on behalf of his constituents and their health. We're well aware of his position on this issue. He had Mr Charles Coles, the general manager of St Lawrence Cement, on his program and fortunately we have that cable program taped, so we know what has been said.

When he misleads this House by suggesting that the alternative for St Lawrence Cement is to close its doors, it's unfortunate at best. We've already talked about the fact that their operations, while burning chlorinated waste solvents, is 40% of their operations. No, we're not saying close their doors; we're simply saying that until we have these tests, can we please know what is

happening from these tests, and in the meantime can we please desist from burning chlorinated waste? They can easily use another fuel.

It's unfortunate, because I really thought that this member was smarter than speaking out of both sides of his mouth. He says, "I'm for industry," and he says, "I'm for the residents." He doesn't even do his homework. If he did his homework, he would know that the Environmental Appeal Board hearing at the moment is about a control order that was issued only after four years, after the Ministry of Environment asked St Lawrence Cement to clean up its act. They were given four years and they didn't comply.

Secondly, the 1989 tests that were done at St Lawrence Cement were only done by the TAGA, which is the trace ambient gas analysis; they were not done on the particulate emissions. In order to know what emissions are, you have to understand what is in those emissions. The particulate emissions are the ones that carry the heavy metals, and those are the ones that we're concerned about. It's too bad the member for Mississauga West is not as concerned.

**Mr Hope:** It was interesting to notice the soapbox approach, but I found it very interesting. I have a little red book with a checkmark approach on the back where you can govern what goes on. I just want to read. It says, "Our second task will be to appoint an Environmental Auditor General, reporting directly to Parliament, with powers of investigation similar to the powers of the Auditor General." Boy, I thought you were opposed to that.

It also says here, "Individuals could petition the Environmental Auditor General to conduct special investigations when they see environmental policies or laws being ignored or violated." Gee, that's funny; that was in a little red book.

There is also one comment here that says, "Under a"—and I'll leave it blank—"government, the Canadian Environmental Assessment Act will be amended to shift decision-making powers to an independent Canadian Environmental Assessment Agency." Shocking.

I'm going to read something here that says the environmental agency and an appointed "Environmental Auditor General reporting directly to Parliament on the environmental impact of government policies and on the enforcement of environmental laws," and it says it'll give some teeth.

I found it very interesting when the member opposite, who usually has something constructive to say, had nothing constructive to say this time but pure rhetoric and a soapbox approach. The document that I'm reading from is so-called Creating Opportunity; I think it's called Career Opportunities for the federal government that is out there conducting this propaganda.

The member opposite says it's totally uncalled for. I

know, within the time left for me, the member for St Catharines, who always speaks out so eloquently on issues, would agree that it is important to have an Environmental Bill of Rights to deal with the issues that are faced by those people who live downstream of the St Clair River, because he knows as well as anyone knows the impacts that have happened to those communities.

**Mr James J. Bradley (St Catharines):** I know that the member for Mississauga West is very concerned about many of these environmental issues. One of them he would be very concerned about, and I thought I detected this in some of his remarks this afternoon, was the fact that there have been considerable cutbacks in the budget and the resources of the Ministry of Environment and Energy. It is one thing to bring forward a piece of legislation or to enact new regulations in this Legislature in the cabinet room or committees of cabinet; it is yet another to be able to deliver on those.

Whether one likes it or not, and there are many people who are critical of this, particularly from the right-wing place within the political spectrum, if you want to measure a government's concern about a particular issue or a particular area, you look, first of all, at the economic resources it is prepared to put there and then the physical resources it is prepared to put there and third, the political will to enact tough legislation and tough regulations.

My great concern when you bring in the Environmental Bill of Rights is that you do not in fact have the resources to back it up. If you look carefully at the budget of the Ministry of Environment, a budget which under the previous administration increased by well over 100%—and there would be those out there who would be critical of budgetary increases, but in that ministry, well over 100%—we see that in fact it is being cut back as other ministries are.

The way that a government demonstrates its priority in a specific area is when it continues to allocate those resources in difficult economic times, the financial resources so that you have sufficient staff to carry out the mandate of the ministry and the physical resources so that you have the equipment, the buildings and everything that goes with the enforcement of the regulations and the enforcement of policy. Unfortunately, though this bill will look good on paper and though they will extol it as a virtue across the province, and there will be certain people who will echo that, I simply point out that the resources must be there to enact its provisions.

**Mr Tilson:** The members for Mississauga West and Mississauga South obviously have an interesting debate going back and forth, and I won't participate in that debate. But I would like to comment on the one area he spent some time on, and that was with respect to the Environmental Commissioner. It's interesting: We ask

the question, is the Minister of Environment doing his job currently? Have the policies of this government been doing this job in all of these different areas we've been going on? I assume the answer to that is no, because we have now got an Environmental Bill of Rights that is going to have an Environmental Commissioner who's going to be able to criticize different ministries or different policies of the government.

1730

It is odd, of course, that now we've got a social contract that's saying we must cut back on the number of bureaucrats who work in the Ministry of Environment, and there's no question that their roles are going to be more and more difficult, to operate what they're doing, because of these cutbacks, and the cutbacks philosophically, I suppose, of the Ministry of Environment; yet here, as the member from Mississauga said, we're now creating a whole new bureaucracy to tell us something we probably already know, at who knows what expense. They're going to take paperwork and shuffle it off to the ministries, saying, "Improve your act."

It is rather ironic, as the member has suggested, the whole issue of cost with respect to an Environmental Commissioner on the one hand and on the other hand cutting back drastically with respect to the Minister of Environment and all the cutbacks and the problems that the Ministry of Environment is having. The Ministry of Environment certainly is having considerable difficulty in its operations now in solving many of the environmental problems.

It is a strange world this government is trying to create. It's going to create a bureaucracy that I believe is not going to solve the environmental problems in the preamble that's being set out in this act, which is all very admirable but will not be solved by the Environmental Commissioner.

**The Deputy Speaker:** The member for Mississauga West, you have two minutes.

**Mr Mahoney:** I would simply say very briefly to the member for Mississauga South that I guess when you are unsure of an answer, you simply throw personal insults. I find that unfortunate, but that's her choice.

To the member from Chatham, I found your comments rather interesting. I don't even know what you're reading from. I assume it's some federal election propaganda that's put out by the federal Liberal Party. I'm not privy to that. But I think one of the big differences between the New Democratic Party and our party is the fact that to you people, what you do is a movement, and you can't separate the fact that perhaps your federal party has a little different agenda from yours. Theirs is called survival, because you have managed to ensure that the lady from the Yukon had better spend a lot of time in the Yukon trying to save her seat.

**Mr Hope:** You're ignoring the issue.

**Mr Mahoney:** No, I'm not ignoring the issue. I put my concerns about the provincial legislation forward very clearly in Hansard. What do you do to criticize? You stand up and read some federal document. I don't even think you understand the issue.

I want to thank the member for Dufferin-Peel, though, because I think his comments were constructive. From time to time we may agree or disagree, but the reality is that he hit the nail on the head. What is the Minister of Environment doing? The Minister of Environment should be the Environmental Commissioner.

My point is that there's not anything wrong with having the concept of an Environmental Bill of Rights, but why do we need another agency when you're already taking funds away from everybody, even demanding money back from people you don't give money to, like the Metro school board and—I guess you've exempted Hydro—the Workers' Compensation Board?

You're setting up an impossible situation. You've got a commissioner of the environment. His name is Wildman. He's the current minister, and he should be enforcing the regulations.

**The Deputy Speaker:** Any further debate?

**Mr Arnott:** I'm very pleased to be able to provide some additional debate on this controversial bill, Bill 26, An Act respecting Environmental Rights in Ontario, which was introduced by the Honourable Bud Wildman, Minister of Environment, for first reading on May 31, 1993. We're now in the midst of second reading debate, which is debate in principle on this bill, which, in spite of the government members' protest, has generated some degree of opposition and controversy.

This is an interesting bill. It's got a considerable history to it. The Environmental Bill of Rights concept has been put forward by a number of different members in this Legislature over the last 10 or 11 years. Most notably I think the present Minister of Health, the former Minister of the Environment for the New Democrats, the member for Etobicoke-Lakeshore, is given a great deal of credit for championing the concept of the Environmental Bill of Rights over the last number of years when she was in opposition, where she passionately put forward the case for the need for an Environmental Bill of Rights.

Certainly the government was committed to this concept during its election campaign in 1990, and there's reference made to it in the Agenda for People, that an Environmental Bill of Rights would be one of the top priorities of the government. Also, I believe in the first throne speech in this chamber when the House resumed after the election in 1990, we heard there would be an Environmental Bill of Rights coming forward.

Of course, it took longer to make this idea realized into a bill than the government had planned, which is fine as far as I'm concerned, because I think it is important that it consult and gather a wide range of opinion so that it doesn't make a mistake. I wouldn't castigate you for going back on your commitment to immediately present an Environmental Bill of Rights that would have been flawed, and I'm glad the government did go ahead and consult actively and widely to try and find a bill that in some way would represent the views of a diverse range of interests.

But certainly if you compare the private member's bill that the member for Etobicoke-Lakeshore presented in opposition to this bill, they're very, very different. In many cases I'm sure the government is finding that some of the people who supported it and supported the Environmental Bill of Rights concept would be very disappointed. We've heard that view expressed, that the bill doesn't go far enough. We've heard that the bill goes too far. We'll see over the course of the debate—when we go to public hearings, I suppose we'll learn more about where that's at exactly.

The task force that was assigned to consult and to study this issue and come back and report to the minister reported back to the minister with draft legislation. It was reported in the Legislature, I believe, in July 1992, about a year ago. We heard at that time that all parties in the development of the bill were very content and that most indicated that there weren't any serious problems with the bill. We saw an example of the government trying to broker a number of specific interest groups and try to come to a consensus, assuming that the brokering of these specific interest groups would lead to a bill that would be satisfactory to all across Ontario.

I think that most of the groups that did have initial concerns about the concept, when they saw the final bill, felt and expressed at the time that the bill would not present any serious problems for businesses that obey all the pertinent environmental legislation and regulations.

The minister, when he introduced the bill, talked about the need for the bill. He talked about the necessity for an Environmental Bill of Rights and he indicated that the overall intention of the bill is to provide residents of Ontario with the necessary mechanisms to protect the environment when the government fails to do so. I find that to be a very interesting underlying premise for the whole need for an Environmental Bill of Rights. It says to me a number of things which I'll probably get to a little bit later.

We see that this bill will create a minimum standard for public notice and participation in environmental decision-making by designated ministries within the province of Ontario. We see that the bill will allow for the creation of an Environmental Commissioner to

ensure public accountability for all environmental decisions. We see that residents, I suppose adjacent to a given project, will be given the power to initiate court action to protect public resources. We also see that this bill will allow increased access to the courts for individuals who claim that they are suffering a direct loss as a result of environmental neglect.

The fundamental principles surrounding this bill I think are fairly straightforward. The government would indicate to us that the fundamental principle of the bill is that "the people of Ontario recognize the inherent value of the natural environment," that "the people of Ontario have a right to a healthful environment," that "the people of Ontario have a common goal" in "the protection, conservation and restoration of the natural environment for the benefit of present and future generations."

Those first three principles, that I think the government would agree are a fairly accurate representation of what the principles behind the bill are, I think every member of this House supports without qualification. We all support the need for the preservation of the environment for future generations and we support the government taking an active role in terms of making sure that is the case.

I think where we run into a bit of a controversy is perhaps the fourth general principle of the bill, which says, "While the government has the primary responsibility for achieving this goal, the people should have means to ensure that it is achieved in an effective, timely, open and fair manner."

Where we come into some degree of dispute on this is that I think we find that the people have elected the government, and the government has the responsibility, the government has the authority, the government is obliged to govern. Therein lies some of the controversy: whether or not the government follows through on the expectations it's created for itself; whether or not the government protects the environment to the degree that it promised during the election campaign; whether or not the government has the political will and to what degree it has the political will to protect the environment.

1740

That's where I think we run into a bit of a controversy, and of course this bill indicates that the people should have a direct link and a direct say in further efforts to protect the environment aside from their opportunity, every number of years, to elect a government and to give that government the opportunity to govern the province including, as part of its responsibilities, the protection of the environment.

One of the key provisions of what this bill will do, as we've heard during the course of this debate, is that it will create an environmental registry which has a responsibility to keep an electronic database, providing

the public with information on proposals and government policy which may have an effect on the environment. So we've got a computer system and an office and we've got some sort of registry which maintains environmental information that the public can access.

We also see that this bill will force all ministries to have a statement of environmental values articulated, but I dare say, after three years of the New Democrats being in power and the view they've always put forward that they care the most about the environment, I doubt very much that there's a single decision that's made by any ministry in this government today that does not take into account the environmental impact of anything that it does. I wonder about that specific provision and if it's in fact probably not redundant.

The bill will, as I said earlier, create the office of the Environmental Commissioner. The commissioner shall be an officer of the Legislative Assembly and shall be reporting to the Legislative Assembly from time to time, I'm sure. That person will be appointed for a five-year term, and the primary responsibility of this Environmental Commissioner is to ensure that the government complies with the requirements of the Environmental Bill of Rights.

The Environmental Commissioner also has, I would say, an intermediary responsibility, or perhaps you could call it a paper-shuffling responsibility, and I'm not sure what he or she will do that'll be different than what many of the members of the Legislature do. When I receive a complaint concerning the environment—I can't speak for all members—from a constituent that the environment is at risk, I raise it with the minister as soon as I possibly can because I want to make sure that the ministry is aware and that the ministry is capable of taking remedial action. It's very important that I do that.

Now we've got this Environmental Commissioner, I suppose, who's doing exactly the same thing that all other members of the Legislature will be doing. So again I wonder if it's perhaps not to some degree a duplication of effort.

The Environmental Commissioner will have a number of additional powers, though. When two residents of Ontario, only two, object to something that's being done that they feel may in fact adversely impact on the environment, they can apply to the Environmental Commissioner for a review of any new or existing policy of the government in any act or regulation of the government that's on the books right now. If those residents feel that the environment is not being adequately protected, they have that means of complaining to the Environmental Commissioner and then the Environmental Commissioner will raise it, in theory, with the appropriate minister who, again in theory, will move forward and do something about it. I'm not sure, from my understanding of the bill, what onus there is upon the minister to respond. I gather that the minister

then has the opportunity to determine whether or not there's merit.

There's also a mechanism for frivolous complaints, supposedly. If the Environmental Commissioner believes that there are two individual people who are making a frivolous complaint, I understand that can be rejected, although I doubt very much in practice if that's going to happen. I expect that once it's set up, it'll be bogged down very quickly.

The Minister of Environment's initial estimate is that the bureaucracy that was being created in the form of the Environmental Commissioner's office would cost \$4.5 million over two years. I doubt very much that this will remain stagnant once the thing is up and running, because I assume a lot of people are going to start complaining, a lot of frivolous complaints are going to not be rejected, they're going to be given a fair hearing according to what the Environmental Commissioner feels is fair and they'll go ahead on that basis. It'll become bogged down, new staff will be required, a new bureaucracy will grow and the cost will increase significantly, I believe.

I think another point that has been put forward in this debate, and I think it's worth repeating, has been some of the comments that have come forward from various individuals who are knowledgeable about this issue. Ian Blue of the law firm Cassels, Brock and Blackwell has commented on this issue, and I believe that's a firm of environmental lawyers. He said, "This bill is an admission by the government that the Ministry of the Environment has not been doing its job." He said that in July 1992.

I suppose the New Democrats in their partisan way would say: "Well, we're doing our job. For the last two years we've protected the environment better than any other government. It's the former governments you can blame."

But we're looking at a situation now where I think the government realizes that its days are numbered, that there'll be an election in—the Premier continues to talk about the spring of 1995. I think in their hearts, most of the government members realize that their term in office will be five years and then there'll be a new government. So I suppose what they're doing is trying to put into place a basic tenet of their philosophy that they hope will be in legislation in Ontario, that'll be there for ever, that for all times will protect the environment. I assume that's their motivation.

I think, as I said earlier, the underlying philosophy of this bill is the need to protect the environment when the government fails to do so. We see, as I say, commitment from the government, that they feel that the government from time to time, whether it's their government or other governments, previous governments, future governments, may not successfully act to protect the environment, so we have to add this new

mechanism to do so.

I notice the member from Durham in his comments indicated something about—when he started speaking this afternoon he talked about a number of other historical examples where legislative rights were accorded. He talked about the Bill of Rights, he talked about Diefenbaker's Bill of Rights, the Charter of Rights, and he talked about how those rights grew over time, that there was a seed that was planted and over time new rights were extended to people. I think that's how the government looks at this bill. They look at the bill in terms of the fact that it's not identical to what they had initially hoped to achieve when they were in opposition, but they see it as the best possible compromise in today's circumstances, which is fine. But we also understand that the New Democrats do have a habit of having a creeping agenda. They get the door open a little bit and then they, over a couple of years' time—and I daresay when they're in opposition again, there'll be private members' bills from the government which will be put forward to amend the statute on the Environmental Bill of Rights to expand its application. I expect that'll happen over the next five years. I'd be very surprised if it doesn't.

Perhaps future New Democrat opposition members will in fact ask for amendments to this bill, to this act at this point, assuming it passes, which will add the dump issue, such that people can object to the Environmental Commissioner if they don't like a dump decision. If they're next door to a dump and a dump's being sited and they don't want it there, they'll have the opportunity to complain to the Environmental Commissioner and that will be an additional step taken to provide delay, to provide an additional level of review. Perhaps Ontario Hydro someday, with the New Democrats perhaps again in opposition, will put forward the amendment that Ontario Hydro will be included. I don't know.

It does seem to me very curious and very unusual that two of the most controversial environmental decisions that any government faces in most cases involve dump sites and in other cases involve Ontario Hydro. It is very curious that those two specific ones, which generate the most controversy, generally speaking, are specifically excluded from this bill. It says something about the degree to which the New Democrats have in fact watered down this bill from what it was initially intended to do.

But another point I want to bring forward in the context of this debate is the whole, I would call it, ideological bias of the government on environmental decisions. I submit to you, Mr Speaker, that the New Democrats have consistently over the past three years refused to impartially look at scientific evidence, refused to look at alternatives which could have been considered on environmental grounds, on technical grounds, on engineering grounds. They simply take an

ideological approach to many of these. It's almost a prejudice, and I think that's a fair word. They have already made their minds up. They don't want to look at alternatives that might not fit into their overall philosophy of how the world should work.

A good example is with the Interim Waste Authority and its insistence that each municipality in the GTA have its own landfill site, its absolute refusal to look at, to even contemplate, assisting in the funding of an environmental assessment to rail-haul the garbage north to Kirkland Lake, if indeed there is a willing host in the north. You only have to see that if the environmental assessment process were brought to bear on that, you might in fact find that the option is an environmentally acceptable one, but they refuse, in any way, to even consider that possibility because it doesn't fit into their basic ideology. They're rejecting facts because they don't fit into their ideology, and we've seen that on numerous occasions.

1750

I see the Minister of Agriculture and Food in the House today and I'm glad he's here. I know he has a great interest in protecting farm land and I know it concerns him greatly when he contemplates the prospect of farm land being used for garbage dumps. I know that when he loses that battle from time to time and garbage dumps are going to be sited on good farm land, he's very concerned about that because he wants to preserve farm land for the future, and he is right in that.

But we also find that the need for landfill sites is increased because the government, again because of ideological bias, refuses to consider the option of incineration, which has been talked about for the last three years and which it consistently refuses to look at in any way because of ideological bias, not because of facts. The facts are irrelevant. They don't want to hear the facts. They just want to continue to go on on the basis of their particular agenda, their particular ideological bias.

The government congratulates itself with this bill. We've heard that during the course of this debate, the government members saying it's such a wonderful bill. I think they feel quite satisfied with themselves on it, but as I said earlier, this bill is significantly different from the bill that was presented by the member for Etobicoke-Lakeshore when she was in opposition.

I wonder where this bill will go, assuming it is passed—and I assume it will be passed; the government will use its majority to ensure that is the case—and who it will help in the next couple of years. I suppose, as a representative here of the people of Wellington, that's my job. I want to make sure that I know what the impact of legislation is before I make a determination whether or not I'm going to support it. That's something I try to do most of the time; all the time in fact. I look at how this bill will impact on people in Wellington

county in the short term, in the medium term and in the long term.

I know there are a number of people in Wellington county, just as there are across the province, who have a very sincere interest in the environment and in the protection of the environment. They view it, in many cases, as one of the most important influences in their lives. They want to preserve the environment, they want to actively participate in that and I commend them for it.

I have a constituent by the name of Stuart Godwin, who is a retired high school teacher in Elora. I've gotten to know Stuart in the last couple of years. Stuart has a beef with the government because the government won't consider incineration. I think he's made a lot of good points. He's written many letters. He takes a very constructive approach to this. He writes the Minister of Environment. He's written to the parliamentary assistant to the Minister of Environment, the member for Sarnia, who was here earlier and who happened to be in Elora one day last summer and met him.

**Mr Stockwell:** Does he get a response?

**Mr Arnott:** He occasionally gets a response, but the response doesn't tell us anything we didn't already know. It indicates that the government is not interested in listening. They don't want to talk about the new technology that exists in terms of incineration. Incinerators don't fit into their overall view of the world. They're thinking in terms of the incinerators from 1950 that I admit were serious pollution problems. They don't want to look at today.

Mr Godwin I think has put forward a number of very specific arguments that have not been refuted by the government in the responses he's received. I know he'll continue to put forward this agenda, this view of things, because I know he's concerned about the volume of waste that is generated and that if incineration were allowed, the volume of garbage would diminish and therefore your need for landfill sites would diminish; the existing landfill sites would be able to last longer; you wouldn't have to site as many landfill sites; the life of the new landfill sites that may still be necessary in spite of incineration would be significantly longer.

I think he's putting forward a good perspective and I wonder if the Environmental Bill of Rights will help Stuart Godwin. Will Stuart Godwin be able to complain to the government? He feels in many cases that the government's bias against incineration is anti-environment, that in fact the environment is damaged as a result of that. I surmise that Stuart Godwin will not be able to complain to the Environmental Commissioner, once that office is created, because it's involving a garbage situation and unfortunately we will see a situation continue where positive environmental suggestions will not be given any consideration.

I wonder how this bill will affect a company that has interests in my specific riding, in Wellington county, St Marys Cement. We all know the company has operations across North America. St Marys Cement has for many years put forward, in my view, an environmental sound and sensible idea—I suppose if I'm incorrect perhaps we could have an environmental assessment on it and we could see where I'm wrong, but we don't have that—that tires should be burned in the construction of cement.

Right now, when you want to manufacture cement, the existing technology that is in use throughout the world is to burn coal. In this case, St Marys Cement is required to import coal from the United States at a significant cost. What they're saying is that they would like to have the opportunity to have a test burn with tires in the development of cement. They think it would be a good idea and they think it would be an environmental solution to the excess waste tire problem. I think it's a sensible idea. I can't understand why a test burn isn't allowed.

The former Minister of the Environment of the Liberal government, the member for St Catharines, I recall was totally opposed to this idea, so in this case we see a continuing of the Liberal policy that no test burns would be allowed. We even saw a situation, I think, some time ago that the government gave consideration to allowing a test burn and I believe I have a letter to that effect, but then it changed its mind.

Where does this bill of rights put St Marys Cement? They have what they view to be—

**Mr White:** Where does it put them?

**Mr Arnott:** I'm trying to figure that out. I can't understand where it does put them, because I think they do have a sensible, environmentally safe alternative that they would like to put forward, and the government policy indicates that they can't do it. So I wonder with the Environmental Bill of Rights, does that apply to them? Will they be able to put their view forward in their way to protect the environment that the government of the day refuses to allow? I hope they will.

I wonder if this bill of rights will help Joe Dowling. Joe Dowling is a constituent of mine who I know very well. He's the president of Harriston Beverages Ltd, which is a small manufacturer of pop, of soft drinks, in Harriston, Ontario. Mr Dowling has for some time put forward a concern to the government, to the former Minister of the Environment, the member for Etobicoke-Lakeshore, and now presently the new minister. His contention is, and it's factual, that there's a regulation on the books right now in the province of Ontario that requires pop bottlers to refill 30% of their volume in terms of containers. That regulation is not being enforced.

Over time, we've seen the former Minister of the

Environment talking—she even wrote a letter to Mr Dowling some time ago and indicated that, if indeed there wasn't concrete action by the pop bottle industry to reach the quota or the goal of the ministry, the 30% regulation, action would be taken and charges would be laid. Of course, the government has changed its mind on that.

Mr Dowling submits that the 30% quota is an environmentally sound quota. The regulation is on the books. Why is the government not enforcing it? Good question. Mr Dowling, I suppose and I surmise, will have the opportunity to complain to the Environmental Commissioner, assuming this bill passes, to say that the government, this New Democratic government, mind you, is in fact not administering the regulation such that it can protect the environment to the degree that it would have you believe. I assume Mr Dowling will be using his opportunity once his rights are enshrined after this legislation passes to complain to this Environmental Commissioner that the government's going to set up.

I think over the course of the last three years, we've also seen a general trend with respect to the environment and this New Democratic Party government, that its rhetoric does not match its action. I think this bill is indeed part of it. When you look at how many of the members have patted themselves on the back for this bill, it's not what many people think it is; it's not what they supported while they were in opposition.

We've also heard, during the course of this debate, that there will be a new and costly bureaucracy set up as a result of this bill. I agree with that; I believe that. The environmental registry will be a significant cost to maintain over time. The Environmental Commissioner: I can see that being a new bureaucracy that will just grow and expand far beyond what we think will be in existence today. That \$4.5-million expenditure the minister talks about will in fact considerably increase.

The social contract that we've gone through as a Legislature, that the government has tortured itself over for the last—we're still going through it, I suppose, because in many cases complaints are being brought forward and the government's responding to some of them. We've seen four to six months of torture that the government's gone through to try and find a solution to the problem it's recognized, that the provincial government is too big, that the compensation that goes out from the provincial taxpayer to the public service is too much, that it's unaffordable, that something has to be done. This problem could have been dealt with in one month. It could have been dealt with very, very simply. People understood the need for it.

**The Deputy Speaker:** It being 6 of the clock, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

The House adjourned at 1800.





## CONTENTS

Wednesday 29 September 1993

<b>MEMBERS' STATEMENTS</b> <ul style="list-style-type: none"> <li><b>Forest industry</b> Mr Brown ..... 3105</li> <li><b>St Gregory Separate School</b> Mr Stockwell ..... 3105</li> <li><b>Social assistance reform</b> Mr Rizzo ..... 3105</li> <li><b>New WCB headquarters</b> Mr Mahoney ..... 3105</li> <li><b>Markham Fair</b> Mr Cousens ..... 3106</li> <li><b>Palliative at-home care team</b> Mr Frankford ..... 3106</li> <li><b>Automotive industry</b> Mr Bradley ..... 3106</li> <li><b>Minor hockey</b> Mr Arnott ..... 3107</li> <li><b>Seniors' health insurance</b> Mr Mills ..... 3107</li> </ul>	<b>Business practices</b> Mr Mahoney ..... 3112 Mr Rae ..... 3112	<b>Pickering airport land</b> Mr Wiseman ..... 3129 Mr O'Connor ..... 3129
	<b>Automobile insurance</b> Mr Tilson ..... 3113 Mr Charlton ..... 3113	<b>St Gregory Separate School</b> Mr Stockwell ..... 3129
	<b>Ferry service fees</b> Mr Gary Wilson ..... 3114 Mr Pouliot ..... 3115	<b>GO Transit</b> Mr Tilson ..... 3130
	<b>Education financing</b> Mr Beer ..... 3115 Mr Cooke ..... 3115, 3116 Mr David Johnson ..... 3116	<b>Gambling</b> Mrs Haslam ..... 3130
	<b>Housing programs</b> Mr Winniger ..... 3117 Ms Gigantes ..... 3117	<b>Physicians' fees</b> Mr Lessard ..... 3130
<b>ORAL QUESTIONS</b>	<b>MOTIONS</b>	<b>FIRST READINGS</b>
<b>WCB premiums</b> Mrs McLeod ..... 3107 Mrs Grier ..... 3108	<b>Private members' public business</b> Mr Charlton ..... 3117	<b>Cambroco Ventures Inc. Act, 1993, Bill Pr47, Mr Ruprecht</b> ..... 3130
<b>Health services</b> Mr Harris ..... 3109 Mr Rae ..... 3109	<b>Committee substitutions</b> Mr Charlton ..... 3117 Mr Bradley ..... 3117 Mr Conway ..... 3118 Mr Stockwell ..... 3122 Mr North ..... 3124 Mr Elston ..... 3125 Mr Callahan ..... 3127	<b>Cannetto Society Inc. Act, 1993, Bill Pr53, Mr Mammoliti</b> ..... 3131
<b>Assisted housing</b> Mr Harris ..... 3110 Ms Gigantes ..... 3110	<b>PETITIONS</b> <ul style="list-style-type: none"> <li><b>Health services</b> Mr Conway ..... 3129</li> <li><b>Health care</b> Mr Arnott ..... 3129</li> </ul>	<b>ORDERS OF THE DAY</b>
<b>Police complaints</b> Mrs McLeod ..... 3111 Mr Christopherson ..... 3111		<b>Environmental Bill of Rights, 1993, Bill 26, Mr Wildman</b> Mr Wiseman ..... 3131, 3136 Mr Ruprecht ..... 3135 Mr Tilson ..... 3135, 3142 Mr White ..... 3135 Mr Mahoney ..... 3136, 3142 Mrs Marland ..... 3141 Mr Hope ..... 3141 Mr Bradley ..... 3142 Mr Arnott ..... 3143

## TABLE DES MATIÈRES

Mercredi 29 septembre 1993

<b>DEUXIÈME LECTURE</b>
<b>Charte des droits environnementaux de 1993, projet de loi 26,</b> <i>M. Wildman</i> ..... 3131



ISSN 1180-2987

**Legislative Assembly  
of Ontario**

Third Session, 35th Parliament

**Assemblée législative  
de l'Ontario**

Troisième session, 35<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

Thursday 30 September 1993

**Journal  
des débats  
(Hansard)**

Jeudi 30 septembre 1993



Speaker  
Honourable David Warner

Président  
L'honorable David Warner

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

### **Hansard on your computer**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. Sent as part of the television signal on the Ontario parliamentary channel, they are received by a special decoder and converted into data that your PC can store. Using any DOS-based word processing program, you can retrieve the documents and search, print or save them. By using specific fonts and point sizes, you can replicate the formally printed version. For a brochure describing the service, call 416-325-3942.

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

### **Subscriptions**

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Lists of members**

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month. A list arranged by riding and including ministerial responsibilities appears on subsequent Mondays.

### **Le Journal des débats sur votre ordinateur**

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Ces documents, télédiffusés par la Chaîne parlementaire de l'Ontario, sont captés par un décodeur particulier et convertis en données que votre ordinateur pourra stocker. En vous servant de n'importe quel logiciel de traitement de texte basé sur le système d'exploitation à disque (DOS), vous pourrez récupérer les documents et y faire une recherche de mots, les imprimer ou les sauvegarder. L'utilisation de fontes et points de caractères convenables vous permettra reproduire la version imprimée officielle. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

### **Renseignements sur l'Index**

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

### **Abonnements**

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.

### **Listes des député(e)s**

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et dans le numéro du premier lundi de chaque mois. Par contre, une liste des circonscriptions inscrites dans un ordre alphabétique et comprenant les responsabilités ministérielles paraît tous les lundis suivants.

Thursday 30 September 1993

The House met at 1330.

Prayers.

#### MEMBERS' STATEMENTS

##### LABORATORY SERVICES

**Mrs Elinor Caplan (Orile):** This NDP government does not seem to understand the importance and the role of the private sector in Ontario's economy.

Only with the private sector and public sector working together can the province of Ontario be assured of the best delivery of health and social services.

At this time, the NDP government is trying to shut the private sector out of laboratory services. The NDP believe that the public sector is the only sector that should be providing lab services in the province of Ontario. What they fail to recognize is the importance of the private laboratories.

Private sector laboratories complement the work of the public sector. By servicing different patient populations, all patients' needs are thus met. Private sector laboratories are highly efficient in the services that they provide.

The industry is vital for economic development of the province. They employ over 7,000 highly skilled workers providing a large contribution to the tax base in Ontario. The profits they generate are reinvested into this province.

Private labs in Ontario spend a great deal of money on research and development, and this research has created technology that is being exported internationally.

By eliminating private laboratories the government of Ontario will be crippling the development of lab services in Ontario.

This NDP government and Bob Rae should realize the importance of private sector companies fulfilling their role in our economy. Every effort should be made to create an environment where public and private sectors are able to operate in the same industry to provide the people of Ontario with the best services available.

##### SENIOR CITIZENS

**Mr Cameron Jackson (Burlington South):** The United Nations General Assembly has designated October 1 as International Day for the Elderly, which will be observed tomorrow throughout the world.

Today we join in paying tribute to the many contributions of the elderly to our society. We may also reflect on how the needs of Ontario seniors are being met by the NDP. Without warning the NDP recently delisted 134 slow-release drugs, many of which are required by seniors who suffer from a variety of ailments including angina and high blood pressure. The NDP imposed a

limit on the air some seniors breathe by capping their monthly oxygen bills at \$475 while limiting their mobility by altering the way in which they now receive oxygen.

A new user fee for long-term care in residential facilities came into abrupt effect in July and can be as high as up to 372 additional dollars per month imposed on seniors whose budgets are already overburdened.

The NDP has also switched to multiple-year drivers' licences which require seniors to pay up to six years' fees at once, even though they may not be able to drive for six more years; this, on top of last year's NDP reduction of the seniors' tax grant, probate fee increases and restriction of OHIP coverages for seniors who travel.

On International Day for the Elderly, the minister responsible for seniors' issues did not even stand in the House to make a formal ministerial statement. Why? Because Elaine Ziemba has nothing to tell seniors and nothing to offer them. This NDP no-hope message will not be lost on seniors in this election federally or the next provincial election.

##### TRANSLATORS AND INTERPRETERS

##### TRADUCTEURS ET INTERPRÈTES

**Mr Rosario Marchese (Fort York):** I'm pleased to rise today to recognize St Jerome's Day. Named after the patron saint of translators, September 30 has been declared National and International Translation Day by the Canadian Translators and Interpreters Council and the International Federation of Translators.

Here in our province, the Association of Translators and Interpreters of Ontario, or ATIO, has been undertaking the valuable work of translation and interpreting since 1921. This organization, which presently has about 1,000 members, is the oldest translators' association in Canada and the first in the world to obtain legal status for its members, in 1989. The ATIO is able to provide translation and interpreting services in 46 languages.

I would like to take this opportunity to acknowledge the contribution of the members of the ATIO, some of whom are here today with us in the members' as well as the public galleries. The work these men and women undertake in the public and private sectors is invaluable.

Specifically, I would like to acknowledge the presence of Ms Edna Hussman, vice-president of the ATIO, Ms Magda Match, the director of ATIO's professional standards committee, and Mr Gérard Fortier, member of the ATIO's public relations committee.

Puisqu'un nombre croissant d'immigrants et d'immigrantes venus des quatre coins du monde s'établissent en Ontario et que tout comme les Franco-Ontariens et Franco-Ontariennes, ils établissent leurs propres institu-

tions sociales et culturelles, la capacité de communiquer dans de nombreuses langues, tout en respectant le bagage culturel spécifique de chaque personne, représente un facteur essentiel dans les efforts pour atteindre l'harmonie et le développement sociaux dans notre province.

What would our lives be without the benefit of translation and interpreting? This is something we should reflect on as we celebrate St Jerome's Day.

#### EARTHQUAKE IN INDIA

**Mr Gerry Phillips (Scarborough-Agincourt):** I woke up this morning to the jarring news of the devastation caused by the earthquake in India. The first reports, as we all heard, were sketchy, but painted a picture of widespread destruction, injury and loss of life. It now appears that over 6,000 people are dead and several times that number are injured.

For us, it would be like the entire town of Hawkesbury or Leamington or St Marys or Hanover being completely wiped out. I, I'm sure along with many members of the House, have many close friends who have come to Canada from India. I think there's a close relationship between Canada and India and somehow that makes this event all the more tragic for us.

I know I speak on behalf of all the members of the Legislature in expressing to the government of India, the people of India, and particularly the people in that area that has been devastated by this earthquake that I hope the rescue operations proceed well, with good world support. I hope that the rebuilding activity proceeds well, again with the support of the world community. I hope particularly that the people of Ontario will again demonstrate their generosity in assisting in that rebuilding.

#### CORMORANT POPULATION

**Mr Leo Jordan (Lanark-Renfrew):** The fish stocks of Georgian Bay are being depleted due to a significant increase in the population of cormorants, or birds referred to locally as crow-ducks.

According to anglers from Sans Souci on Georgian Bay, the population explosion of cormorants over the past two years has led to a substantial decrease in the number of perch, bass and bait fish in Georgian Bay.

Henry LePage, a commercial fisherman and restaurateur, has told me that these birds have become a menace that is killing his business. In 1991, Mr LePage caught hundreds of pounds of perch per day to provide the most popular dish in his restaurant. In the summer of 1993, his harvest was down to less than 100 pounds a day. By mid-August of this year, Mr LePage was no longer able to serve perch at his restaurant because the cormorant had wiped them out.

1340

Local anglers and cottagers also report that the cormorant are destroying bass stocks and devastating the

fishing industry. Furthermore, the cormorant is said to be feeding heavily on bait fish, which are needed to maintain the pike and muskie populations.

Given the reports we have heard from both commercial and sport anglers in Georgian Bay, it appears as though this bird is causing a major imbalance in the ecosystem. So I ask the Minister of Natural Resources to take immediate action by investigating this matter and restoring the ecological balance of Georgian Bay.

#### CELSO BARICHELLO

**Mr George Dadamo (Windsor-Sandwich):** I'd like to cite bravery and humanity shown by a friend and constituent and highlight his tenacity and a sheer love of life. I introduce to this Legislature Celso Barichello, husband, father, former truck driver and church usher, who heeded a call on a Windsor city street that many would have avoided.

Amidst the wailing sirens of Windsor fire trucks, heavy vehicle traffic and many people, a caring citizen was getting involved. Celso was ready and willing to provide leadership and sound judgement and set his sights on helping direct traffic as well as pedestrians. In a split second, he was struck by a vehicle and was sent hurling through the air.

Celso spent the next 18 months in Hotel Dieu Hospital with a prognosis that was not promising. During his stay, he captured the hearts of doctors and nurses. They became affectionately attached to a man they would not soon forget.

This past weekend, his family celebrated his birthday, his coming home and his lust for life. My wife, Maria, and I spent time with him this weekend recalling former names of his coworkers with his spelling board.

Celso is paralysed from the neck down and requires round-the-clock supervision. He cannot speak, his heart is strong and he's able to listen and smile, which has become his trademark. I know that he's watching now.

Celso Barichello's life continues. On behalf of his coworkers, from the church parishioners at St Angela Merici Church on Erie Street whom he served so well for so many years, I say, from my family to yours: Good luck, best wishes and keep smiling.

#### MINOR HOCKEY

**Mr James J. Bradley (St Catharines):** I draw once again to the attention of the Minister of Culture, Tourism and Recreation the problem that exists in minor hockey today. We received a letter, as members of the Legislature, informing us of the actions of the Canadian Amateur Hockey Association against the players of the Ontario Minor Hockey Association:

"...This action of depriving the OMHA players access to federally funded material for development shows a lack of responsibility on the part of the CAHA...."

The letter goes on to say:

"I would like, today, to bring your attention to another very serious situation imposed on the OMHA players. The CAHA has notified other hockey bodies in Ontario, Canada, USA and Europe that we are no longer affiliated with them (they ejected us from the CAHA), thereby stopping any games they would have played with OMHA teams. By doing this they are denying the youth of the OMHA the right to participate in tournaments and international play. The OMHA has taken part in these activities for nearly 60 years. I feel the OMHA players are being discriminated against by the CAHA.

"The most serious ramification of this action will be felt in the province of Ontario. Blacklisting the OMHA centres and players will cause a serious economic impact in Ontario. It stops all outside teams from participating in tournaments held by the OMHA....We need your assistance to convince the CAHA to lift the ban on all OMHA players and allow them to continue playing as they have in the past."

I call upon the Minister of Culture, Tourism and Recreation to take the appropriate action to bring the two sides together to solve this problem for young people in our province.

#### FERRY SERVICE FEES

**Mr Noble Villeneuve (S-D-G & East Grenville):** I rise today to join residents of eastern Ontario and members of the Ontario Federation of Agriculture in condemning the NDP government's latest tax grab proposal for the Wolfe Island and Glenora ferries.

It is clear by now that a tax grab is more important to this government than the economies and the residents of Prince Edward county and of Wolfe Island.

It is also clear that a tax grab is more important to this government than an agreement from the Department of Highways back in 1964 to provide ferry service to Wolfe Island free of charge.

It's clear that a tax grab even takes precedence over an economic impact study for the areas affected.

The NDP has failed to consider the impact on tourism. The NDP has failed to consider the impact on agriculture. What will happen to the dairy operations on Wolfe Island, pick-your-own farms in Prince Edward? Has the Minister of Finance even tried to find out?

The NDP has failed to consider the impact on working residents and retirees. The NDP fees work out to a tax of over \$800 a year on residents for the sin of having a job in Bob Rae's Ontario. The NDP gives Prince Edward county residents the option of a 70-kilometre detour to get to work in the Kingston area, no doubt providing great joy to the NDP over the extra gas tax revenues.

The NDP expects to extract from Wolfe Island ferry fees almost an equal amount to the entire tax base of Wolfe Island, an absolutely disgusting tax grab.

#### BALLS FALLS THANKSGIVING EVENTS

**Mr Ron Hansen (Lincoln):** I rise today to tell the House about an event that will draw more than 25,000 people to my riding next weekend, the 19th Annual Balls Falls Thanksgiving Festival Craft Show and Sale. Sponsored by the Niagara Peninsula Conservation Authority, the Balls Falls craft festival has become one of the Niagara region's most popular fall attractions. In fact, it expanded over the years from a two-day to a four-day event.

The festival features high-quality crafts set amidst the beautiful autumn scenery of Balls Falls Historical Park and Conservation Area in the town of Lincoln. More than 100 artisans have been selected from Ontario and outside the province to sell their wares. Also featured will be historical displays and demonstrations, live entertainment, festive foods and refreshments and children's wood-carving workshops. I'm sure this year's festival will bring together the entire community of Lincoln and it will attract visitors from other parts of the Niagara Peninsula, Metropolitan Toronto and the United States.

I would like to congratulate the Niagara Peninsula Conservation Authority, especially festival convener Christine Hayward, for organizing an event that is ranked among the top five craft shows in Ontario. I urge members of this House and their constituents to come down to Lincoln next weekend and join the wonderful outdoor craft festival.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### INTERNATIONAL TRADE

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** I'd like to take this opportunity to update the members of the House on the beer trade issues.

You may have read last month that Canada and the United States resolved their long-standing beer war. On August 5, Canada and the US reached a fair commercial agreement which benefits our domestic brewing industry, its labour force and Ontario consumers. It preserved the government's key principles in beer pricing and distribution. It also maintained employment and investment in the province as well as our right to determine social policies.

As an integral part of this agreement, Ontario maintained its minimum pricing policy in support of the government's commitment to responsible use of alcohol. Based on alcohol content, we established three levels of minimum price so that higher alcohol content beers have a correspondingly higher retail price.

Moreover, our position from the outset was that the environmental levy was not negotiable. It has been maintained. The levy is an important environmental measure and was never imposed as a trade barrier. It is

an incentive to manufacturers and consumers to favour refillable containers over recyclable ones and supports our commitment to the 3R hierarchy.

When we put all this together, the bottom line is lower prices and wider product choice for consumers in Ontario. Foreign beer has complete access to our beer retail networks and is now available in beer stores.

As soon as the bilateral agreement was reached, the United States removed the \$3-per-case duty imposed, without GATT sanction, on beer brewed or bottled in Ontario. Likewise, Canada removed the equivalent tariff imposed against Stroh and Heileman beer imported into Ontario.

This agreement does not only apply to the United States. Effective today, Ontario is extending the provisions of the bilateral agreement to our other international trading partners, including the European Community. I'm therefore pleased to announce that Ontario has now fulfilled all of our international trade obligations on beer. These stem from the 1991 GATT panel report on provincial beer marketing practices initiated by the United States.

1350

Just as we are fulfilling our obligations under GATT by giving American brewers equal and fair access to our market, we expect the US to fulfil its own GATT obligations and remove the federal and state practices that discriminate against our brewers.

I'd also like to update you on another important aspect of our beer trade, namely, trade with other provinces. Last year, Ontario removed its interprovincial trade barriers on beer by allowing out-of-province beer to be sold in our beer stores. This was done in the context of the intergovernmental agreement signed with other provinces.

As of today, we are improving out-of-province brewers' access to our market. Brewers from other provinces will be given exactly the same treatment as foreign brewers. Thus, all Canadian brewers will benefit from the Canada-US agreement. We have established a level playing field for all brewers wishing to sell in Ontario. We are providing them with fair and open treatment.

Finally, on behalf of the government, I would like to thank all of those who have contributed to Ontario's fulfilment of these obligations. We worked in partnership with the Ontario brewing industry, brewery and LCBO unions, our federal counterparts, my colleagues and their staff in the ministries of Economic Development and Trade, Intergovernmental Affairs, Environment and Energy, and Finance. Last but not least, I'd like to thank the environmental groups which aided us as well. In particular, I would like to extend my special thanks to the LCBO and my staff in the Ministry of Consumer and Commercial Relations.

Ontario committed to meeting a September 30 deadline for the removal of beer trade barriers. We have now achieved those goals.

**Mr Joseph Cordiano (Lawrence):** I want to start off by saying that I would like to stand in my place and congratulate the minister wholeheartedly for her work on this deal. But the problem is that the problems that have been solved or resolved were created in the first place by the lack of action on the part of the minister and this government. We would never be in this predicament had the government not taken us into this hole. Quite frankly, my congratulatory remarks have to deal with the fact that she got out of her own mess; it was self-imposed.

This minister has a lot of other important business to take care of. When I read in the press that she's getting involved in the bidding process for the casino selection, and there are now four possible bidders on this, it seems to me that she should spend her time more valuably doing other things, like looking after consumer protection legislation, which is somewhere there in the bowels of the government.

There seems to be no interest on the part of the government to deal with the private bill that I brought forward. This certainly would help consumers across the province, and yet there's no indication from this minister or from this government that they intend to do anything about consumer protection.

I have to remind the minister that one of the most important roles she fulfils is consumer protection. The piece of legislation that I proposed, that our government had been drafting when we were in government, in those days, is a workable document which I understand this government has no intention of bringing forward, because you want to propose your own legislation.

That's fine, but why haven't we seen any indication of consumer protection measures, some initiative on the part of this government and this minister to indicate to the public that it is a priority of this government? Obviously, it's not. What they're more interested in is casino gambling and imposing an unofficial tax, in the form of casino gambling, on those who can least afford to pay.

I would say to the Minister of Consumer and Commercial Relations—

**Hon Floyd Laughren (Deputy Premier and Minister of Finance):** So paternalistic.

**Mr Cordiano:** Well, yes, it is; it's a grab by the Treasurer. He's lustng after those dollars in those casinos. He can't wait to get his hands on them. I've got to say to the Treasurer, you're going to have to wait a little while, but I would say as well, don't get your nose out of joint getting involved in the bidding process, because that is leading to unintended conse-

quences. You're going to hear more about that this afternoon, as I'm sure you're aware.

Quite frankly, it is unacceptable that this government interferes with the bidding process that is now under way. I think that is unacceptable to both us and the public at large. I would say to the minister, you're not pursuing an aboveboard kind of approach to the bidding process. There are problems with it. People are hinting at it. You have to clear the decks with respect to the bidding process.

I would say to the minister, get on with it and not only give the appearance that there's no interference, but have no interference in this process, because quite frankly there are questions circling around in the bowels of the ministry and elsewhere. Rumours are floating madly around this place, and around other places as well, Windsor and other communities, that this government process is one that is unfair and is biased.

Getting back to the other measures, the minister also has another job to do with the registrar general. Get your act going on that one because, and I think all other members would speak to this and confirm what I'm saying, there are still a lot of problems associated with the registrar general. You're not doing what has to be done there properly. The time lines are still quite long for registration of births and registration of deaths. The process there is still at question. The public accounts committee commented on this. There are still problems associated with getting a birth certificate on time. The time it takes is far too long.

I think this minister has to own up to those things. She has to realize that those are priorities in her ministry. The beer dispute settlement is one thing, but it doesn't speak to other responsibilities she has.

**Mr Ernie L. Eves (Parry Sound):** I'd just like to respond very briefly to the minister and make two very brief points. The first one is that when she goes on at length congratulating herself and patting her government on the back about an environmental levy that was not negotiable, let's be abundantly clear that this is no more an environmental levy than I am. This is a tax and it was meant as a trade barrier. It wasn't put on soft drink cans; it was only put on beer cans, 90% of which are returned anyway. That is a bunch of gobbledegook and the minister knows it. A tax is a tax is a tax.

The other point I'd like to make is that it's a sad day when another province in this country can only get equal treatment because the government is embarrassed into giving them it treatment because it made a deal with the US. Hence, you have to extend the same courtesies to your sister provinces, as you should have been doing all along anyway. It would be very embarrassing if US beer companies got better treatment than other provincial beer companies. Wouldn't that be terrible.

## ORAL QUESTIONS TOBACCO SMUGGLING

**Mr Sean G. Conway (Renfrew North):** My question is for the Minister of Finance, the minister responsible for the provincial revenues. The Finance minister will recall the discussion he and I had on the last day of the summer session—I think it was August 3—when I was raising with him concerns around the impact of illegal cigarettes coming into the province and that impact on provincial revenues.

Minister of Finance, I have in my hand, as it happens, a smuggled carton of cigarettes, and I want, in a very serious way, to ask the Minister of Finance—

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Mr Conway:** My colleague the member for Cornwall has been drawing to the attention of this House what's been going on at smugglers' alley in the Cornwall area.

**Mr Noble Villeneuve (S-D-G & East Grenville):** Yes, we watched W5.

**Mr Conway:** The member says that we have been watching national news programs on the same subject.

Is the Minister of Finance for Ontario aware of the fact that police indicate that 50,000 cartons of these cigarettes are coming through smugglers' alley at Cornwall on a daily basis? I repeat: Police reports indicate and police evidence suggests that 50,000 cartons of these illegal cigarettes are coming through smugglers' alley in the Cornwall area on a daily basis, and the cost to the provincial treasury in Ontario of that one daily run is \$650,000. Is the Minister of Finance for Ontario aware of those data?

1400

**Mr Chris Stockwell (Etobicoke West):** Now he is.

**Hon Floyd Laughren (Minister of Finance):** Yes, I am now. Actually there's been a lot of work and a lot of studies done on the degree of smuggling, and they certainly bother me as much as they bother the member for Renfrew North, perhaps even more.

I was checking the amount of smuggling that people speculate is going on, not just in Ontario but all across the rest of the country, and it really has grown dramatically in the last few years. We could get into a debate as to why it's grown so much, but I think the fact remains that it is a very substantial amount of money that the Ontario treasury is losing on an annual basis from the smuggling.

That's one reason why the Solicitor General has taken the lead on the enforcement side to work with the federal government, which I gather has acknowledged the fact that it has the lead responsibility. I'm not passing the buck here, because we have a lot at stake in making sure that we do what we can to stop this

smuggling. The violent side of it is, of course, terribly serious, but also the revenue lost to the province and the institutionalization of smuggling, which bothers me a great deal as well.

**Mr Conway:** My friend from Cornwall has pointed out repeatedly and very seriously the concerns around public safety and law enforcement, and I support him, as I know all members do, in those first-order concerns. But there are as well revenue issues, and that's why I ask the Minister of Finance today. In his budget tabled in this House on May 19, he specifically indicated that a number of measures, additional to what had been in place, were going to be undertaken by his government.

I ask him in supplementary terms, in light of the fact that at Cornwall, in that one smuggler's alley alone, we are losing as a province \$650,000 a day in lost tobacco tax revenue, what measures has the minister of revenue and finance taken since the budget was introduced in May and since we last discussed this matter on August 3 to make sure that the very considerable revenue loss is being addressed?

**Hon Mr Laughren:** This is a matter on which I don't think the member for Renfrew North and I would have any disagreement whatsoever, but he asked the specific question of what the government's done. We have put in place the hiring of—the exact number escapes me but I think about 70 extra auditors to help us in this regard.

Now, the auditing part deals with the end result of the smuggling; it doesn't get at the root cause of the smuggling which is occurring, for example, in the Cornwall area, and that's where the Solicitor General comes in. We're doing the best we can in increasing the number of audits that are done at the retail level and making sure that there are charges laid. As the member knows, I think, we are increasing the penalties for smuggling and the sale of illegal cigarettes. That's the one side, the auditing, the prosecution, investigation and so forth, and the other side is the enforcement, which is in the hands of the Solicitor General.

In the end, the solution has to come from the federal government and the provinces working together, because we have Quebec on our border; we have the federal jurisdiction over trade and over borders and over a great deal of the rules that apply to native reserves, for example. In the end, it's got to be a collaborative approach between the provinces and the federal government, because this is not a problem unique to Ontario.

That doesn't minimize the significance to Ontario or devalue the amount of dollars that the member for Renfrew North refers to in smuggling, and I couldn't agree with him more.

**The Speaker:** Would the minister conclude his reply, please.

**Hon Mr Laughren:** We are doing what we can on

both the auditing, enforcement and laying of charges side and the law enforcement side as well.

**Mr Conway:** As we talk in this Legislature, the taxpayers of this province lose thousands of dollars. By my calculation, at smuggler's alley in Cornwall, now probably the most notorious smugglers' alley in the country, the province of Ontario is losing about \$650,000 a day, or about \$220 million a year.

My question to the Minister of Finance is, what can he tell us today about how successful his additional enforcement measures were? When I last looked at the data, for example, the charges laid this year as compared to last year had hardly moved at all, and they were minimal.

People in that part of southeastern Ontario find it incredible, absolutely incredible, that after dark, as activity goes into overdrive on smugglers' alley, the Ontario Provincial Police detachment at Lancaster shuts down. That is a farce.

Will the Minister of Finance indicate what specific additional enforcement measures he is prepared to take to ensure that this laughable, farcical, dangerous and very costly activity around smugglers' alley in Cornwall is stopped?

**Hon Mr Laughren:** I could have made the same speech that the member for Renfrew North just did, because the enormity of the problem—

**Mrs Margaret Marland (Mississauga South):** Not nearly as well.

**Hon Mr Laughren:** Not nearly as eloquently; yes, that's right. The enormity of the problem is not difficult to list and to identify. What is much more difficult is to come to a solution, and the solution isn't simply to open up an OPP detachment. It's much more profound than that.

At this point in time, neither the federal government nor any other province has been able to resolve this problem. I am hopeful that as the problem has become so serious and as the various levels of government are working in concert, we will come up with a strategy very shortly that would help us deal with this problem, because I agree with the member for Renfrew North that it's a serious problem and we've simply got to deal with it. It's not just on the revenue side, as he indicates, but also on the law enforcement and public safety side. We are determined, but we can't do it alone. I think the member for Renfrew North would appreciate that. We cannot resolve it alone, and that's why we're working with the other levels of government.

**The Speaker:** New question?

**Mr Conway:** New question, same subject. I understand you can't do it alone, but surely you understand the farcical nature of a situation where you, as a provincial government charged with the responsibility of provincial policing, allow a situation at Lancaster where

between 3 am and 7 am, in peak smuggling hours, on a daily basis you send the cops home and shut the detachment down. That's the stuff of a Monty Python movie, and it's costing the province millions and millions and millions of dollars.

Surely, Mr Minister of Finance, we can do that much: We, as the provincial government in charge of the provincial police, can provide enough resources to the minister responsible for the police to ensure that OPP detachments in those kinds of areas, like Cornwall, Ancaster, Charlottenburgh, are not going to be put in the ridiculous situation of having to shut down at night while on a daily basis you lose \$650,000 worth of revenue on the tobacco tax side alone. Would you not agree?

**Hon Mr Laughren:** Mr Speaker, in view of the rather specific reference to law enforcement, I'll refer that question to the Solicitor General.

**Hon David Christopherson (Solicitor General):** I'm pleased to answer the question from the honourable member. Indeed, as I mentioned in earlier responses on this same subject, I have been in discussion with the OPP commissioner and expressed to him that, coming out of my meeting with the community, they specifically would like to see action on the Lancaster detachment hours of operation. I'm pleased today to advise the honourable member that indeed the OPP commissioner has taken the decision that the detachment will be open on a 24-hour-a-day basis.

**1410**

**Mr Conway:** I appreciate that. I'm going to pursue supplementary questions that properly belong to the Minister of Finance in the same area, but I do appreciate the last response from the minister responsible for the police, because it is helpful.

I want to, on this smuggling question, turn the attention to another area, because while millions of dollars go up in smoke because of illegal activity on the tobacco side, we are now seeing millions of tax dollars going down the drain and the gullet because the smuggling is quickly moving into the liquor trade. I want to say that the illegal tobacco smugglers opened the highway, and now the traffic is increasing and we're getting more and more indication that the liquor business is increasingly involved.

To the Minister of Finance, is the Minister of Finance aware that according to the latest data from the Association of Canadian Distillers, over two million cases of spirits are now illegally coming into the province of Ontario and that this is costing the provincial treasury a loss of about \$240 million annually?

**Hon Mr Christopherson:** Mr Speaker, I believe the member understands that the person who answers the original question must continue to answer the supplementary questions, so although he would prefer that it

be responded to by the Minister of Finance, I will answer the question and advise that in my meeting with the federal minister—

**Mr Stockwell:** Unanimous consent to pass it back.

**The Speaker:** Just to clarify, yes indeed, when an original question is referred to another minister, the minister can respond. The minister is not prevented, on the supplementary question, of referring it back to the original person to whom it was directed. If that's of any assistance to both sides of the House, the minister may in fact wish to refer the question back to the Minister of Finance.

**Hon Mr Christopherson:** Thank you, Mr Speaker. I'm seeing from the honourable member who asked the question that he would prefer that it be returned back to the Minister of Finance, and I'm sure that as it's his area of expertise he'll be pleased to take the supplementary.

**Hon Mr Laughren:** If it requires unanimous consent, you won't get it, Mr Speaker.

The member for Renfrew North is adding on to his tobacco smuggling question the whole issue of alcohol. I assume he's making a link between the tobacco smuggling and alcohol smuggling. That was what I was referring to in my earlier response to him when I said that I was worried about the institutionalization of smuggling, which is, I believe, one reason it has increased so substantially, so I have nothing more to add to what I've said to the member already, other than the fact that we're aware of the problem and in the end I really believe that a couple of things will help us resolve it—well, several things. One is more auditing; second, stricter enforcement and tougher laws that deal with smuggling; third, and I appreciate the fact that this is completely out of our hands, the possibility that the United States may very well increase substantially its taxes, particularly on cigarettes, which I believe would act at least partially as a disincentive to smuggling.

Having said that, I don't want to leave the impression with anyone that we are therefore waiting for that to happen. That's simply not the case. We are moving as vigorously as we can to put a lid on and stamp out the smuggling.

**Mr Conway:** I think it is well-known to all honourable members that the public finances of the province are haemorrhaging. The government is facing more serious budgetary circumstances with every passing day. We heard just a few days ago that revenues are expected to be down over projections by anywhere between \$600 million and \$900 million. My guess is that before the fiscal year is out, it'll be probably at or above \$1 billion.

When I look at these two accounts, our provincial tobacco tax revenues are going to be down in the Cornwall area, apparently, by over \$200 million, if we

are to credit police statistics; and if we take the data from the Association of Canadian Distillers, the treasury of Ontario this year will lose at least a quarter of a billion dollars in lost revenues because of smuggled booze. This is quickly becoming a challenge to the legitimacy of the government, and as we in my part of the province tax farmers and individuals and businesses on Wolfe Island, do you know that those smugglers are going to rob you of more revenue in Cornwall in one night than you will raise in a whole year with the taxes on the Wolfe Island ferry?

I ask the Treasurer, as the Minister of Finance, will he not undertake a more rigorous and serious reaction to this crisis in confidence and this frontal attack on his revenues, which are having a very real and negative impact on the public finances of the province?

**Hon Mr Laughren:** Of course we will, but I would just remind members and the rest of Ontario that the member's rhetoric exceeds by a great amount his solutions, because this is not an easy problem to resolve. If it was, we would resolve it, as would the federal government, as would the province of Quebec. The point is that this is a very complex set of issues and the federal government and the province of Ontario and in particular the province of Quebec are working together to try to resolve this very difficult issue, but simply yelling about it won't solve the problem. We've got to work together with other jurisdictions to see what we can do to resolve it.

#### CASINO GAMBLING

**Mr Ernie L. Eves (Parry Sound):** I have a question of the Minister of Consumer and Commercial Relations. Minister, when you were asked about the style of casino that the province wanted to establish in Windsor by the member for Welland-Thorold on June 29, 1992, you said, "We know we don't want the Las Vegas style here." That's your quote. The city of Windsor has also made it very clear from the outset that it didn't want the Las Vegas style here. Why are the final four proponents for the casino all large Las Vegas-style casino operators?

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** The first thing I'd like to put in perspective on this question and any other questions related to that kind of issue is that I was absolutely determined and this government was absolutely determined from the beginning to put in place a fair and impartial and non-political process for the selection of the casino. That has been put in place and there has been absolutely no political interference.

All I can tell you is that the selection committee put in place a very rigorous and very tight set of criteria and the final selection for the short list was based on a whole series of steps that they went through. They met with the proponents; they studied the proposals from the proponents; they talked to a variety of experts; and they

used the criteria which were set up by this government and by themselves to select the final short list, and that was their prerogative to do.

**Mr Eves:** Minister, I think the reason that there are only four Las Vegas operators on the list is quite obvious. If you read the article in the Windsor Star today, and if you read from a memo that was provided to me:

"I am a career public servant who's been involved in the review process for bids received under the RFP. I am upset with the bias shown in the selection process towards the big, US, Las Vegas and Atlantic City operators.

"The decision was made to exclude all but the big operators from the 'final' short list because the government was (a) afraid they wouldn't bid again, thereby making future bidding for the Ontario casinos 'less competitive,' and (b) (as you will see in the attached) that it would undermine the credibility of the selection process."

In fact, when you look through the minutes of your selection committee dated July 20 this year, that is exactly what it says. "If well-known companies are eliminated in stage 1, this could damage the committee's reputation."

Isn't it true that that was the basis upon which your selection committee made its decision, not on the basis of what was the best bid? Why did you encourage all these other proponents to submit bids when you had made up your mind, or your committee had made up its mind, from the start that all you wanted was large US Las Vegas-style casino operators? Those are the only ones you ever had any intention of entertaining from day 1, and why weren't you just upfront and honest about that?

1420

**Hon Ms Churley:** I certainly hope the honourable member is not questioning the integrity of the deputy ministers who were picked to sit on the selection committee. I certainly hope he isn't doing that. Having said that, I want to tell the honourable member that the minutes to which he is referring, which were leaked to the press, had nothing whatsoever to do with the selection process. Early on in the process, before the members of the selection committee ever got together to begin that process, they sat down and literally talked with dozens of experts from the casino industry. It was their duty to do so. They heard good information; they heard bad information; they heard all kinds of information. These minutes are from a meeting which took place with the selection committee and the review panel as well and had nothing whatsoever to do with the actual selection process.

**Mr Eves:** Let me read further from the memo:

"At least one of the 'smaller' bidders' bid was

evaluated by the officials as being better than”—underlined—“all other bids, but that company was not included in the ‘final’ short list for the reasons stated above.

“Although the politicians say they are not involved in this bidding process and ‘independent’ review, they are in total control (Churley, Cooke, Laughren) behind the scenes. This ‘manipulation’ has caused frequent clashes with officials, including with members of the selection committee.”

Who was that smaller bidder? Why were they not included in the final four if your committee thought they were head and shoulders above everybody else?

**Hon Ms Churley:** As I said in my first answer, categorically, this minister and no other minister had absolutely any role to play in the selection of the short list. I want to make that perfectly clear. I don’t know who this unnamed person is. I suggest that perhaps he or she should come forward. But I want to make it very clear that this is not the case.

You’re reading, I believe, from minutes that were leaked of an informal meeting which took place in a restaurant long before the selection committee sat down and started to talk to any of the proponents. As you know, they interviewed all of the proponents who had responded to the RFP, but there is nothing in these minutes whatsoever to indicate that there was any unfairness. In fact, I would say just the opposite. The committee sat down with each of the nine proponents and interviewed them one by one. They went through a process that ensures that the interests of the province and the interests of Windsor are best met. That was the process which was put in place and that was the process which was followed.

**The Speaker (Hon David Warner):** New question, the member for Parry Sound.

**Mr Eves:** To the same minister on the same issue, the Windsor Star today leaked minutes of the same meeting that we’re talking about, of July 20, with your Las Vegas consultant, Dr Eadington of the University of Nevada. Surely, you would admit here that Dr Eadington is the chief adviser to your selection review panel. He was the expert you brought in in the meeting I’m talking about. He’s the one who was asked the questions. He’s the one who provided the answers. I’m sure you have a copy of the minutes of the meeting, as I do.

It is very clear from those minutes that Dr Eadington’s advice and direction to the selection team left the team with no choice except for the Las Vegas-style operators. He told them that if they didn’t choose one of the big operators, the committee would lose face with the Las Vegas-style community. He outlined each of the bid proponents, and while each of the large Las Vegas-style and eventually successful four proponents received extensive summaries, the smaller proponents are barely

even acknowledged—some by two bullet points. ITT and Sheraton are acknowledged by two bullet points whereas, for example, Harrah’s gets half a page.

Do you not consider it to be somewhat difficult that the expert you’re relying upon, that your committee’s relying upon, Dr Eadington, is from the University of Nevada, which receives extensive funding from these same Las Vegas casinos?

**Hon Ms Churley:** First of all, I would say that the Windsor casino will eventually be known as the Ontario-style model, because the government will own and set the rules and the regulations for our casino.

In regard to the quote from the minutes from an informal meeting which took place some time before the selection committee sat down and dealt directly with the proponents, let me say again, and I hope the member will hear me clearly this time, that the committee met with, I am told, dozens of advisers from the casino industry. I believe that it would have been irresponsible for that committee to not have met with independent advisers from the industry to glean information. It was then up to that committee to take all the bits and pieces of the information which they received from many dozens of advisers, go through it and then sit down and figure out how it fits with the criteria which we developed in choosing the best proponents that would come up with the best Ontario-style model for Ontario. That’s exactly what they did.

**Mr Eves:** In the same minutes and documentation that we’re both referring to, there is reference made to the fact that the Windsor casino will resemble New Jersey or Atlantic City more than it will Winnipeg. It also says that you intend to make money by targeting the lower social-economic groups than is done in US casinos, and it also totally trashes the idea of a small casino in Windsor because we’re talking in these proposals about huge, entirely self-contained complexes, exactly what you stood in this House and told us time after time after time was not going to happen in the city of Windsor, “We’re not going to have a self-contained casino complex; we want people to stay in Windsor, we want people to shop in Windsor, we want people to go to the restaurants in Windsor, we want them to use the hotel rooms,” and this is exactly the opposite. Every one of these bids in the final four is exactly the opposite. How can that be?

**Hon Ms Churley:** Let me be clear once again. The honourable member is quoting from a document taken from the advice of one casino adviser/expert. He has the minutes from that meeting. There was all kinds of advice from all kinds of experts given to the selection committee before they started the selection process. This is just one piece of advice. I’m sure on the other side there were other pieces of advice. I don’t know what it was. As I said, I was not involved in the process and will continue to stay arm’s length from that process. But

I can assure the member that what I stood up and said in this House still stands, and in fact we have very strict criteria which I am sure the selection committee is adhering to.

We want a made-in-Ontario-style casino. That doesn't mean it has to be just like the one in Manitoba. We know we don't want it to be like the ones in Las Vegas. However, please don't use the minutes from this document as something written in stone from one meeting which happened with one adviser before the selection process started.

**Mr Eves:** Minister, it's been speculated in the media since January of this year that right from the initial outset the government had decided that Harrah's indeed would be the successful proponent. I think if you look through the outline provided to the selection committee and enunciated upon by Dr Eadington in the meeting that we talk about on July 20, it is quite obvious, when you look at Caesar's, Circus Circus and Hilton, they take up about five sixths of a page. ITT—you do know who they are, don't you?—and Sheraton are not exactly small players themselves. They get two little dinky bullet points at the bottom of the page. That's all there is to be said about ITT. When you look at Harrah's, they have at least half a page. When you look at Argosy, a Canadian proposal, they have two little dinky bullet points.

Would you not agree that this is a more than slightly biased presentation to your selection committee by Dr Eadington, who just happens to operate out of Las Vegas, who just happens to belong to the University of Nevada, which just happens to receive its funding from the casinos that just happen to be on your short list?

Why won't you do the honourable thing and make all bids public here today so that everybody can decide for themselves whether or not you and your committee have been fair in the final-four selection process?

1430

**Hon Ms Churley:** Let me say again that I was in no way involved, in any way whatsoever, in the selection process. The press of course has the right to speculate any way they want on any subject, but I want to make it clear that, again, this was one adviser's—

**Mr Eves:** Why don't you make the bids public?

**The Speaker:** Order, the member for Parry Sound.

**Hon Ms Churley:** Mr Speaker, there's absolutely no need, to answer his question directly, to release the bids. We have a process in place that is arm's length, fair and impartial, and that process will continue. The information he is referring to has nothing whatsoever to do with the selection process.

#### TAX REVENUES

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Minister of Finance. I want to return to the issue of the underground economy. Our caucus is

very concerned about what we believe is a dramatic growth in the underground economy. We also feel that the Rae government has not come clean with the size of the problem nor have you begun to develop a comprehensive solution to it. We're hearing that the underground economy perhaps has as much as doubled in the last three years.

Perhaps the best indication of that is that you have raised taxes in the last three years by \$4 billion, that's a fact, but the tax revenue in those three years has actually dropped. So you've raised taxes by \$4 billion, the people who are paying taxes are paying \$4 billion more in taxes, but the amount of tax revenue coming into the province has actually dropped in the last three years.

Something dramatic is happening out there, and in our opinion, the government isn't coming clean with the people. We think there may be as much as \$6 billion of revenue that the government is not seeing as a result of the underground economy, but we can only guess. You've done studies on it, Minister of Finance. Will you tell the Legislature today the size of the problem that the government sees in the underground economy? How big is it and do you agree with us that there is the need to develop a comprehensive plan to deal with it?

**Hon Floyd Laughren (Minister of Finance):** The member for Scarborough-Agincourt gives me a lecture on tax increases. Coming from the Liberals, it's like Colonel Sanders giving me a lecture on animal rights.

I can tell the member for Scarborough-Agincourt that if he's talking about some of the specifics such as cigarettes, for example, which is the big one, we have not raised taxes in the last two years on cigarettes. We have the second-lowest taxes on cigarettes in all of Canada, second only to the Yukon. We have not raised taxes on alcohol this year either. So I think to pinpoint the problem as our tax policies is simply to engage in a little rhetorical finger-pointing, which really doesn't get at the problem.

There is a problem with the underground economy. There's a problem with the underground economy in every jurisdiction I know about. In some jurisdictions, it's much more serious than in this one. That doesn't mean we don't have a problem with the underground economy. It doesn't mean that the underground economy is not growing; I believe it is, but if it was easy to pinpoint the exact amount, it would be a lot easier to do something about it as well.

I would simply say to the member for Scarborough-Agincourt that I agree with him that the underground economy is growing, as it is everywhere. We are doing what we can, both on the auditing side and on the enforcement side, but I'm sure the member for Scarborough-Agincourt, in his remaining supplementary, will indicate just what he thinks the solution is himself.

**Mr Phillips:** I tried not to make this a partisan thing. I simply said you have raised taxes by \$4 billion. The tax revenue has actually dropped. I'm not making a political statement. Those are the facts. What I'm trying to get from you is a commitment to support what we've proposed.

I sent you a letter two months ago saying: "We, the Liberal caucus, want to help to solve the problem. We want an all-party legislative committee to look at this." We're trying to be helpful. I sent a letter to you asking for your support for that. You refused to support it. You say to us, "Be helpful," I send a letter to you asking for your support, and all I get back from you is your saying you cannot comment on it because it's a question for the legislative committee.

One of your senior policy people said, and this is what worries me, "We are worried to talk about this problem, because if we talk about the problem, it will get worse." We in this caucus think it is time to deal with it in a comprehensive way, not by hiring more police and auditors. That will not solve it. We need to do it in a comprehensive way.

Again, I'll ask you: Will you, firstly, confirm to the Legislature the size of the problem so I can get your backbench members on that committee to support an all-party legislative committee, and will you personally support the merit of an all-party legislative committee airing this publicly and looking for some reasonable, practical, long-term solutions rather than playing partisan politics with us?

**Hon Mr Laugren:** I think the member for Scarborough-Agincourt understands that it's not possible to be precise on the size of the underground economy. How would it be possible to identify the precise size of the underground economy? There are all sorts of estimates out there as to what it is, but those estimates vary widely as well.

As far as one of the committees of the Legislature dealing with the issue is concerned, and I suppose he was referring to the standing committee on finance and economic affairs, I have no objections. It's entirely up to that committee. I chaired a standing committee for a long time, and I remember how I resented it when the government of the day directed us as to what we were to do or not to do. Whether or not the standing committee looks at the issue of smuggling is entirely up to the standing committee. I'm not going to tell them what to do.

#### INMATES' ALLOWANCES

**Mr Robert W. Runciman (Leeds-Grenville):** I have a question for the Minister of Correctional Services. Mr Minister, your ministry intends, according to press reports, in any event, to implement a \$10 canteen allowance for remand inmates, those inmates denied bail or awaiting trial. Currently, only sentenced inmates serving a minimum 21-day term get the \$10 allowance.

Minister, at a time when your deficit wizards are once again at least \$500 million short of their mark, this policy will cost taxpayers another \$1.1 million a year. The guards in these facilities are still reeling from the social contract cuts that you've taken, and what you're sending out to them in terms of a message is that you're going to squander those savings you stripped from their wages and put them into the pockets of the people they're guarding. Minister, how can you justify this kind of expenditure?

**Hon David Christopherson (Minister of Correctional Services):** I appreciate the opportunity to comment on this issue, given that it's had a fair bit of attention. Given the current government constraint programs, the social contract initiatives and other cost-saving measures, we have decided that the implementation of this particular measure will be indefinitely postponed until such time as we feel the resources are there to allow us to make this move.

Let me say that we're still committed to the concept. However, given the issues that you've raised and those that I have mentioned, I do think it's appropriate that the action we've taken to indefinitely postpone the implementation is the right one.

**Mr Runciman:** I'm not going to be critical of the minister in the sense that he's doing what he's doing, but I want to say that he's responding to this matter, and to the Lancaster detachment that was raised earlier, when he should have been acting not just on the basis of pressure from the media and politicians within this forum, but certainly with the utilization of some common sense, which seems to be sorely lacking in that government.

I want to suggest that the minister consider extending that even further, extending it to suspending the allowance that you pay out to the more than 7,000 inmates inside institutions, which is costing the ministry close to \$4 million a year, close to \$12 million over the life of the social contract. We talked about policing problems and we mentioned the Lancaster detachment in the Cornwall area, but right across this province, Minister, you know that the OPP is suffering. Detachments are looking at closures right now, amalgamations, those kinds of things where people, essentially in rural Ontario, are very much concerned about police protection.

#### 1440

**The Speaker (Hon David Warner):** Would the member place a question, please?

**Mr Runciman:** Currently, inmates in provincial institutions are getting free cable television, shampoo, soap, toothbrushes and toothpaste, all postal mailings, books and paperbacks and video rentals three times a week. Those are the kinds of expenditures that are already being directed towards inmates in provincial facilities. You've cut out the fee for crown witnesses

who appear in trials. You've cut out the fee for victims.

**The Speaker:** Does the member have a question?

**Mr Runciman:** You've cut out the fee for victims, yet you're providing this fee and planning to continue this fee for inmates in provincial institutions. Minister, I ask you, will you consider cutting out that kind of fee considering the difficult economic circumstances we're now in?

**Hon Mr Christopherson:** I'm pleased that the merger of the two ministries has taken hold, because clearly the honourable member moves all over on the issues and talks about at least six different things. Let me try and answer at least a couple.

One of the most important things I think the member alleged is that decisions are being made under pressure and in a reactionary mode, and I take exception to that. The decision around the detachment was as a result of the meeting I had with the community leaders where they said to me: "This is a particularly important issue. As much as possible, we'd like to see that moved on as quickly as possible." From there, I had discussions with the OPP commissioner and conveyed upon him the importance of it. That decision was taken because of the importance of the issue and responding to the needs of the community.

The issue of the canteen allowance was also made prior to the question being asked, prior to this House being opened. It was in reaction to, indeed, the decisions we've taken around expenditure control, around the debt problem. On that point, let me say that this third party is very good about talking about debt reduction, talking about bringing expenditures under control, but when they see a government responding to things in an appropriate fashion, they still continue to believe that they're the only ones that can do it, when in reality this is the party and this is the government that's doing it. I'm convinced that we're doing it in an appropriate, responsive fashion and we'll continue to do so.

#### TEACHERS' DISPUTE

**Mr Bob Huget (Sarnia):** My question is to the Minister of Education and Training. You and I are well aware of the current strike that is under way in Sarnia-Lambton involving the Lambton County Board of Education and its secondary school teachers.

Minister, you will know that this strike has approximately 6,700 students and nearly 500 teachers out of school. You are aware that this is the third strike in this county in the past 10 years. I'm sure that you realize the level of frustration that is being felt by everyone affected in Lambton county.

My community is frustrated not only by the stress caused by this strike, but by the history of bitter relations that the county has witnessed over many, many years. Many of my constituents are looking to the

government to help end this dispute. They want the students back in school, and they want to see legislation from this government to get them there.

My question, minister, is simply this: What can you do to assist in getting the secondary school teachers in Lambton county back to work and students back in schools where they belong?

**Hon David S. Cooke (Minister of Education and Training):** I appreciate the question from the member, and I certainly know how difficult this whole issue has been on the member for Sarnia as well as the member for Lambton, and I appreciate the constant advice and information the member has shared with me on a daily basis.

But whenever there is a teachers' strike in this province, there are difficulties. Parents and students and taxpayers become very frustrated and concerned, and I want the member to know that I share that frustration and concern.

The solution to this situation is just as it has been in other instances where there have been teachers' strikes in this province, and that is at the bargaining table. The board and the teachers can solve this strike tonight if they want to, if they get back to the bargaining table. The issues in dispute are very clear, and this government encourages the teachers and the board to get back to the bargaining table so that the students can get back into the classroom and the education we all pay for can be provided to those students.

**Mr Huget:** I appreciate your comments. I know and I'm sure you're well aware that the Education Relations Commission has a role in resolving these kinds of disputes in Ontario. It's that role I want to focus on.

As you may be aware, the Sarnia-Lambton system is a semestered system. What that means, in essence, is that one week is equivalent to two weeks' work, so as we are entering week three in this dispute, we are actually looking at six weeks of lost time.

My question is simply this: Does part of the process that the commission follows in terms of determining when a school year is in jeopardy include taking into account the factor of a semestered system?

**Hon Mr Cooke:** The member is quite right to raise the Education Relations Commission. The commission has been involved in this dispute, has mediated it, and is available if the parties are willing to get back to serious discussions.

Since Bill 100 came in and the Education Relations Committee has been set up, there have been 72 teachers' strikes, and only six of them have been ended with legislation in this Legislature. That's because most of the strikes are settled at the bargaining table with the assistance of the Education Relations Commission.

I can assure the member that the ERC is monitoring the situation. I am being advised and updated by the

ERC. I can also assure the member that when a school system is semestered, that is factored into the ERC's considerations.

#### RETAIL SALES TAX

**Mr Dalton McGuinty (Ottawa South):** My question is for the Minister of Finance. You'll recall that in June, I asked you a question expressing my concern about the impact your new tax on brew-on-premises beer and wine would have on this all-too-rare new business success story. I reminded you that those small businesses had, amazingly, been able to grow and even thrive during a recession. In four short years, investors had sunk over \$50 million into 235 stores across the province. The average investment sunk into a store has been \$180,000. Over 2,000 people are employed in that business.

Your new tax of 26 cents a litre kicked in on August 1. In real terms, it means it costs \$12 more to buy a batch of beer. When I asked you about this before, you said, "I don't believe it's an onerous tax burden." Let me tell you, the numbers are in, and they're pretty grim. The Brew-on-Premises Association of Eastern Ontario reports that the average number of daily batches prepared in Ontario stores used to be 16. In August, after the tax kicked in, in eastern Ontario's 23 stores, it was four. That's a staggering 75% decline in business.

They're only brewing four batches a day; they used to brew 16. But they need 12 to break even. Your new tax is killing them, just as they predicted it would. Stores are on the brink of disaster, and every single operation in eastern Ontario has laid off employees.

Are you now prepared, in light of this new information, to rescind this tax which is squeezing the very lifeblood out of what used to be a thriving industry?

**Hon Floyd Laughren (Minister of Finance):** No. The member raises an interesting point, however, about the increase in tax and the relationship between the increase and the price of a batch prior to the introduction of the tax.

I would remind him that the price of beer in brew-your-own establishments is still only, as I recall, about 60% of the price of beer that you buy in the regular beer stores in the province, so I don't believe it was an onerous tax at all. If you look at the comparison of the price of a case of 12 or 24 as opposed to a batch, I believe a batch, and I stand to be corrected in this regard, is something like seven or eight dozen, so when he's talking about an increased price of \$12 for a batch, he's talking about a very large quantity of beer. I wouldn't want anybody to think he was talking about an increase in the price of a case of 12 or 24, because that's simply not the case.

I would like to go a little bit more into this, but I'll wait for the supplementary.

**Mr McGuinty:** Your Minister of Consumer and

Commercial Relations proudly stood up earlier today and told us how she was going to ensure that all of our international trade obligations were met in so far as beer was concerned, that our obligations vis-à-vis other provinces were going to be now delivered in a fair and open way. The brew-on-premises people are asking for the same kind of treatment.

**1450**

I've told you about how the tax is hurting business. Now let's see what it's doing for your revenues.

Prior to the tax, monthly revenues from existing provincial sales tax from the brew-on-premises stores were over \$1 million a month; in August, they were less than \$600,000. So I want to be perfectly clear here: Your new tax, which is designed to raise more money, is actually revenue-negative, actually decreasing the revenue you were already getting. Without the new tax you were getting over \$1 million, and with the new tax you're getting less than \$600,000.

You projected that an additional \$10 million would be raised annually by this tax. If things keep going the way they are, the brew-on-premises people tell me that not only will you not raise an additional cent, you're going to raise \$5 million less than you would have without the tax.

**The Speaker (Hon David Warner):** Will the member place a question, please.

**Mr McGuinty:** What you've created here is a unique lose-lose-lose situation. You're killing a small business industry, you're putting people out of work and you're reducing your revenue, all with one fell swoop. That's quite an accomplishment.

**The Speaker:** Could the member place a question, please.

**Mr McGuinty:** My question, Minister: You say you're in favour of small business, and we know you need more money. Here's your chance to prove it. Will you immediately kill this tax before it kills these small businesses?

**Hon Mr Laughren:** I don't want to be unkind to the member, because I think he is expressing the concerns of the industry, the small businesses that do brew their own. I don't think he's being unfair in that regard.

But simply to put all the blame, at least partially, on the restructuring that's going on in that sector is unfair. Secondly, there are not very many examples I can think of where you reduce a tax and you increase your revenues. Thirdly, there are all sorts of revenues that are down.

We announced a week or so ago that revenues were off almost \$1 billion, largely from 1992 income tax revenues. I don't believe you can isolate one tax and say, because there's a decline in some of the premises in the sale of beer, that the entire reason for that is a tax, which I think is not an onerous tax. I believe that

a batch, to which he refers, is about six cases of 24, and if the increase is \$12, that's still taking the price up to only about 60% of the price of regular beer. I don't think that's unfair at all.

#### PROTECTION OF IN-CARE RESIDENTS

**Mr Cameron Jackson (Burlington South):** In the absence of the minister responsible for women's issues and in the absence of the Attorney General, I expect the Minister of Community and Social Services could best respond to this question.

Minister, you will recall, as you were in the House, that I and my party, in June 1991, called for a public inquiry into the Grandview Training School For Girls incident and the residents who had been sexually assaulted and abused.

In spite of the fact that five girls died in that school, that their deaths remain unexplained to this day, that the coroner has been able to get reports, and in spite of the fact that crown wards, when they die while they're in provincial institutions, are entitled to an automatic coroner's inquest, victims have subsequently been denied access to their medical records and other files to assist them with their own pursuit of justice.

Minister, today those survivors are here at Queen's Park. They're here because they believe that your government continues to place roadblocks and that you're dragging your feet on the issues of not only a public inquiry but, for some of them more important, matters dealing with training, with counselling and with compensation. On behalf of those women who are here at Queen's Park today, could you explain to this House why your government is continuing to drag its feet in pursuit of justice for those victims who were crown wards in this province?

**Hon Tony Silipo (Minister of Community and Social Services):** First of all, as the member indicated, I think there are other ministers who would be able to give a more precise answer to some of the points the member has asked about, given the responsibilities that they have and that I don't.

But I can say to the member that we, as a government, have taken the issues around Grandview quite seriously and certainly from the very beginning have proceeded on that basis. We have answered in this House before on the issue of the inquiry, and we have been quite categorical in saying that it's important to allow the process of the police investigation to proceed and for that to ensue, that that needs to be done.

We have continued to work with the Grandview Survivors' Support Group with respect to the issue of counselling. I know there is some support that is being provided, some dollars that are being spent by the government to assist that group. That is being coordinated through the Attorney General's office. We've had some involvement on that issue from my

ministry and we'll continue to provide that support to those individuals.

**Mr Jackson:** The minister says he and his government have taken these matters quite seriously. In fact, that is not the truth of what's been going on in this province. The Grandview survivors are here today because they're aware of your government's lack of commitment to women who've been sexually assaulted when in any form of care in a provincial institution.

You yourself, minister, are aware of a series of questions I raised to you in this House in June and July of this year about the coverup of sexual assault and harassment charges at the York Detention Centre. This, I believe, is a question you will be able to answer. The fact is that you dispatched auditors to examine the allegations, along with a series of other allegations, and they've come back in the form of your report.

The Grandview survivors are aware that only one scant reference is made by those male auditors who did the report. They're asking one simple question about the findings of your report, and that is this: Why is it that these auditors undertook an investigation and yet did not interview one woman sexual assault or harassment victim who was brought to your attention and to your ministry staff's attention, and yet they can sanitize this report? Staff in your ministry have been protected and in fact promoted, and we have a report that says there are no examples of a coverup occurring within your ministry. No wonder the Grandview survivors are so angry—

**The Speaker (Hon David Warner):** Could the member complete his question, please.

**Mr Jackson:** —and why they're here today, when you're doing it within your own ministry with respect to the employees in this province who are employed at the Thistletown Regional Centre and also at York Detention Centre. Minister, why is it that not a single woman victim was interviewed by your government to determine if a coverup existed, or in fact if the sexual assaults and harassment ever even occurred?

**The Speaker:** The question has been asked. Would the member take his seat.

**Hon Mr Silipo:** I find this line of questioning a little bizarre, because the member has gone from a question around Grandview to a question around York Detention Centre and tried to make a connection where there is none.

If he's now asking specifically about the operations review at York Detention Centre, let me tell him in direct response to his question that yes, as he himself has said, the conclusions of the report were quite clear that in fact there were no inappropriate actions taken by the management staff. In the interviewing process the review team undertook, my understanding is that they interviewed over 70 different people in about 125

different interviews, so they spoke to individuals more than once. During the course of those interviews, they spoke to any individual whose name was suggested to them as somebody who should be spoken to, and that issue is being pursued.

If the member opposite says not one victim was interviewed, I don't have the information of who exactly was interviewed or not interviewed; that was a point of leaving that to the review team to determine. If the member has any indication of people he feels should have been interviewed who were not interviewed, I think he has the responsibility to pass that information on to me, and we'll deal with it appropriately.

#### MOTIONS

##### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon Brian A. Charlton (Government House Leader):** I move that Mrs Fawcett exchange places with Mr Daigeler in the order of precedence for private members' public business.

**The Speaker (Hon David Warner):** Is it the pleasure of the House that the motion carry? Carried.

#### PETITIONS

##### CASINO GAMBLING

**Mr Alvin Curling (Scarborough North):** A petition to the Legislative Assembly of Ontario:

"Whereas the New Democratic Party government has traditionally had a commitment to family life and quality of life for all the citizens of Ontario; and

"Whereas families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas the New Democratic Party government has had a historical concern for the poor in society who are particularly at risk each time the practice of gambling is expanded; and

"Whereas the New Democratic Party has in the past vociferously opposed the raising of moneys for the state through gambling; and

**1500**

"Whereas the citizens of Ontario have not been consulted regarding the introduction of legalized gambling casinos despite the fact that such a decision is a significant change of government policy and was never part of the mandate given to the government by the people of Ontario;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government immediately cease all moves to establish gambling casinos by regulation and that appropriate legislation be introduced into the assembly along with a process which includes significant opportunities for public consultation and full public hearings as a means of allowing the citizens of Ontario to express themselves on this new and questionable

initiative." I affix my signature to this.

#### RETAIL SALES TAX

**Mr Robert W. Runciman (Leeds-Grenville):** I have a petition related to an issue raised in question period today.

"We, the undersigned, believe that the new tax on brew-on-premise home brew is unfair, unwanted and unreasonable.

"We are concerned that it will eliminate jobs without increasing government revenues.

"This new tax is inspired by big, multinational brewing corporations whose only desire is to keep us from enjoying home brew. Scrap the tax before it begins."

I'm signing this in support of this petition.

#### PICKERING AIRPORT LAND

**Mr Jim Wiseman (Durham West):** In an ongoing attempt to bring some sanity to the federal government's attitude towards North Pickering land, citizens from all over Ontario are sending petitions to this Legislature so that their voices can be heard even though the Tory party is ignoring them.

**The Speaker (Hon David Warner):** The member for Durham West should know that what he is supposed to do is simply read the petition.

**Mr Wiseman:** "To the Legislative Assembly of Ontario:

"Whereas the federal government intends to dispose of surplus lands on the Pickering airport site that are agriculturally rich and environmentally sensitive; and

"Whereas the residents have not been informed of the immediacy of the federal government sale plan,

"We, the undersigned, petition the Legislature of Ontario as follows:

"Therefore, that the provincial government of Ontario request of the federal government of Canada to initiate a public review by panel of the federal Minister of the Environment to ensure an organized disposal protecting these rural resources and the community of residents there."

I hope they're listening.

#### CASINO GAMBLING

**Mr James J. Bradley (St Catharines):** This petition is addressed to the Legislative Assembly of Ontario:

"Whereas the Christian is called to love of neighbour, which includes a concern for the general wellbeing of society; and

"Whereas there is a direct link between the higher availability of legalized gambling and the incidence of addictive gambling (Macdonald and Macdonald, Pathological Gambling: The Problem, Treatment and Outcome, Canadian Foundation on Compulsive Gambling); and

"Whereas the damage of addiction to gambling in individuals is compounded by the damage done to families, both emotionally and economically; and

"Whereas the gambling market is already saturated with various kinds of government-operated lotteries; and

"Whereas large-scale gambling activity invariably attracts criminal activity; and

"Whereas the citizens of Detroit have since 1976 on three occasions voted down the introduction of casinos into that city, each time with a larger majority than the time before,

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario cease all moves to establish gambling casinos."

I affix my signature to this petition, as I am in agreement with it.

#### PICKERING AIRPORT LAND

**Mr Larry O'Connor (Durham-York):** I've got a petition here to the Legislative Assembly.

"Whereas the federal government intends to dispose of surplus lands on the Pickering airport site that are agriculturally rich and environmentally sensitive; and

"Whereas the residents have not been informed of the immediacy of the federal government sale plan,

"We, the undersigned, petition the Legislature of Ontario as follows:

"Therefore, that the provincial government of Ontario request of the federal government of Canada to initiate a public review by panel of the federal Minister of the Environment to ensure an organized disposal protecting these rural resources and the community of residents there."

I'm appalled that they would close their public information offices in the middle of this process. I affix my signature to it.

#### CASINO GAMBLING

**Mr Tony Ruprecht (Parkdale):** "To the Legislative Assembly of Ontario:

"Whereas the Christian is called to love of neighbour, which includes a concern for the general wellbeing of society; and

"Whereas there is a direct link between the higher availability of legalized gambling and the incidence of addictive gambling (Macdonald and Macdonald, Pathological Gambling: The Problem, Treatment and Outcome, Canadian Foundation on Compulsive Gambling); and

"Whereas the damage of addiction to gambling in individuals is compounded by the damage done to families, both emotionally and economically; and

"Whereas the gambling market is already saturated with various kinds of government-operated lotteries; and

"Whereas large-scale gambling activity invariably attracts criminal activity; and

"Whereas the citizens of Detroit have since 1976 on three occasions voted down the introduction of casinos into that city, each time with a larger majority than the time before,

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario cease all moves to establish gambling casinos."

I'll affix my signature to this petition.

#### FERRY SERVICE FEES

**Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings):** I have a petition here that's been signed by many people from across the province of Ontario who've had the opportunity to use the Glenora ferry. This petition was one that was placed in the Wagon Wheel restaurant on the Glenora side of the ferry crossing.

"We, the undersigned, are strongly opposed to the user-pay fee imposed on patrons who use the Glenora ferries for the following reasons.

"(1) This ferry is part of Highway 33. The question is posed, how can the province charge for part of a highway?

"(2) Many taxpayers who live along the Loyalist Parkway rely on tourism for their income. By imposing this fee, fewer tourists will use this route, badly cutting into the income of businesses.

"(3) Many people living in Prince Edward county work in Kingston; this fee will produce further eroding of their income.

"(4) Farmers sell produce and buy supplies in Picton; this fee will be detrimental to their profession."

I read this petition into Hansard today on behalf of all the people who are concerned about fees in Glenora and I will file this.

#### CASINO GAMBLING

**Mr Robert V. Callahan (Brampton South):** I have a petition address to the Legislative Assembly of Ontario.

"Whereas the New Democratic Party government has traditionally had a commitment to family life and quality of life for all the citizens of Ontario; and

"Whereas families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas the New Democratic Party government has had a historical concern for the poor in society, who are particularly at risk each time the practice of gambling is expanded; and

"Whereas the New Democratic Party has in the past vociferously opposed to raising of moneys for the state

through gambling; and

"Whereas the citizens of Ontario have not been consulted regarding the introduction of legalized gambling casinos despite the fact that such a decision is a significant change of government policy and was never part of the mandate given to the government by the people of Ontario,

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government immediately cease all moves to establish gambling casinos by regulation and that appropriate legislation be introduced into the assembly along with a process which includes significant opportunities for public consultation and full public hearings as a means of allowing the citizens of Ontario to express themselves on this new and questionable initiative."

This is signed by a number of constituents and I'm affixing my signature thereto as well.

#### ONTARIO FILM REVIEW BOARD

**Mrs Margaret Marland (Mississauga South):** I have a petition to the Legislative Assembly of Ontario and it read as follows:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas the Ontario Film Review Board, at its May 6, 1993, policy committee meeting, decided to loosen the guidelines for films/videos for Ontario; and

"Whereas the loosening will result in committing some very gross and indecent acts in films/videos; and

"Whereas these acts include: bondage, ejaculation on the face and insertion of foreign objects; and

"Whereas the aforementioned acts are not in any way part of true human sexual activity, but rather belong in textbooks for case studies of deviants; and

"Whereas these activities not only violate community standards but parts of the Canadian Criminal Code,

"We, the undersigned, your petitioners, humbly pray and call upon the Ontario Legislature to cancel the new policy resolution of the Ontario Film Review Board and dismiss the chairperson, Dorothy Christian, from her position for her lack of sensitivity towards Ontarians and for being more dedicated to represent special interest groups than the taxpayers of Ontario."

I'm happy to support this petition and I will sign it.

1510

#### CORRECTIONS

**Mrs Margaret Marland (Mississauga South):** Mr Speaker, on a point of order: I would like to correct my record for Tuesday, September 28, at which time I was speaking to the bill pertaining to environmental rights, Bill 26. During my speech I referred to the Environmental Appeal Board and the Environmental Assessment Board. It was an error for me at two parts of my

speech to interchange those terms, and all the way throughout the speech I was meaning to refer to the Environmental Appeal Board. So I'm correcting the two occasions where I, in error, slipped in "Environmental Assessment Board" instead of "Environmental Appeal Board." I appreciate the consideration of the House.

**The Speaker (Hon David Warner):** The member indeed has a point of order, and I appreciate the fact that she rose to correct her own record, not someone else's.

**Hon Bud Wildman (Minister of Environment and Energy):** On a similar point of order, I rise to correct my record. On Monday, September 27, in answer to questions from the Liberal critic for Environment, I inadvertently gave incorrect information to the House in that I indicated that the city of Hamilton officials had been informed by the Ministry of Environment and Energy officials in June and July regarding the storage of potentially hazardous chemicals at the abandoned site in Hamilton.

In fact, there were discussions around security at the site, where a fire or fires had taken place, between officials of the Ministry of Environment and Energy and the city of Hamilton officials, or the fire department, but they did not deal with the question of the chemical lab and the storage of chemicals in that facility.

**The Speaker:** Again, the member does indeed have a point of order, and I appreciate the fact that he has risen in his place to correct his own record.

#### ORDERS OF THE DAY

ENVIRONMENTAL BILL OF RIGHTS, 1993

CHARTE DES DROITS ENVIRONNEMENTAUX  
DE 1993

Resuming the adjourned debate on the motion for second reading of Bill 26, An Act respecting Environmental Rights in Ontario / Projet de loi 26, Loi concernant les droits environnementaux en Ontario.

**The Speaker (Hon David Warner):** When we left off, I believe the honourable member for Wellington had the floor. He may so resume his remarks.

**Mr Ted Arnott (Wellington):** Yes, I did have the floor, Mr Speaker, and I thank you for recognizing me. I think I have about three minutes to conclude my remarks, and I'll try and be brief and get to the points that I had intended to raise.

I think what we've just heard now is interesting. The difference between the Environmental Assessment Board and the Environmental Appeal Board is a confusing matter. They're two different levels of appeal and it creates some degree of confusion. Now with this Environmental Bill of Rights, we've got another mechanism of appeal or review, and one wonders perhaps how necessary it is when we have a number of existing, confusing levels of review and appeal with respect to the environment.

I also wanted to raise the issue of agriculture and how this Environmental Bill of Rights may in fact impact on people in Wellington county.

As you know very well, Mr Speaker, Wellington county is one of the most important agricultural regions in the province of Ontario. A group of agricultural groups known as AgCare over a period of time developed an environmental agenda with which it put forward excellent ideas. Actually, the leader of that group is a gentleman by the name of Jeff Wilson, whom I know very well, who resides in Wellington. They put forward a proactive agenda that I think in many cases far exceeds what the government is expecting of them. They deserve a lot of credit for what they've done and the approach they've taken to the environment.

But I know also that if this bill of rights would in fact make normal farming practices impossible or would create problems in that respect, I wouldn't be able to support it.

**Hon Bud Wildman (Minister of Environment and Energy):** Oh, no, there's reference to the Farm Practices Protection Act.

**Mr Arnott:** The minister indicates that there is reference to the Farm Practices Protection Act. The farm groups indicate apparently that they would like to see some further clarification on that issue. That's my understanding and I hope that might be forthcoming.

When we look at the cost of this new initiative—the minister has indicated \$4.5 million of new bureaucracy that will be created in order to administer this new bill—and I look at some of the projects that require direct funding to ameliorate existing environmental problems in my riding, in Nichol township, and I hope the minister is listening very closely, there is a serious environmental problem.

Many of the wells have been dug by hand, and as a result have polluted some of the—the septic tanks close to the dug wells have polluted the wells and we need some support and some assistance. The ministry has received applications from the township for assistance there. The ministry has given a commitment for, I think, 85% of the engineering costs that have to be done and the ministry has approved the project, but the final application, I believe, is with the minister now and hopefully we will see some early response that indicates the support of the ministry to make sure this problem is indeed ameliorated.

I think that when you look at the cost of creating a new bureaucracy, if that in fact means \$4.5 million of projects cannot be undertaken that would have a direct impact on improving the environmental situation, then we perhaps have some reason to be concerned.

I leave the House with those thoughts and I'm looking forward to the rest of the debate over the course of this afternoon.

**The Acting Speaker (Mr Noble Villeneuve):** Questions and/or comments?

**Mr Larry O'Connor (Durham-York):** I want to, on one hand, compliment the member for Wellington for the earlier part of the debate, which maybe some of the viewers never caught yesterday, when he did stick very much to the bill. He spoke about the commission, the commissioner, and the fact that it will report to the Legislature which is, I think, a very important thing that has to happen. He didn't mention too much about the public process the ministry has been involved with, but I don't suppose he realizes all of that.

There was a lot of consultation with groups like Pollution Probe, the Canadian Environmental Law Association, the business council, the Canadian Manufacturers' Association, the chamber of commerce. Maybe he didn't realize that all that consultation had taken place, and there's a great deal of support by all of those people. Those are some of the things I guess I'd like to point out.

There has been concern raised around the fact that only two people from the public can raise a concern about this, an environmental concern, and bring it to the commissioner. Something I'd like to point out then is, take a look at my riding in the Goodwood area where there's a soil recycling plant that was going through a process, and there was a call from the community to make this process public.

I think it's really important that the public have a chance to have some input into the process. Go out there, set up public information offices when it's necessary, if that's the appropriate channel, so there is a chance for people to respond. It's not always that everybody catches a little something that happens to go on during a busy council meeting, or whatever point it might be. It's something that we really have to be aware of.

For example, there are a lot of good, positive things that have happened and sometimes we even forget about them. But the point is public information and allowing the public a chance to go to somebody, for example the commissioner, and say, "I've got a concern." I think it's very fundamental and important.

**1520**

**Mrs Margaret Marland (Mississauga South):** I would like to congratulate my colleague the member for Wellington. Obviously, this particular member has a very full knowledge of what this bill involves and in speaking on behalf of his constituents I think he has done a commendable job.

I'm happy that this afternoon the Minister of Environment and Energy is able to be in the House, and I respect his schedule when he hasn't been able to be here this week and his parliamentary assistant has been here in his place. But I would like the minister to know that

the concerns I have been speaking about this week pertaining to the St Lawrence Cement company—

**Hon Mr Wildman:** St Lawrence.

**Mrs Marland:** —which the minister has just acknowledged he is aware of, are concerns that are not superfluous in any way at all. The minister, since he has taken over his responsibility in this particular ministry, has been corresponding with me.

There is a problem, however, about the content of some of those letters and I think it's very important that I have this opportunity to tell the minister that when his staff talk about emissions regarding St Lawrence Cement, they are talking about a different type of emission than we're concerned about. They're talking about gaseous emissions which go into the ambient air; our concerns are about particulate emissions. It's the particulate matter to which heavy metals adhere themselves and it's the heavy metals that may or may not be a health risk to the community.

That's why we're saying to the minister, please do not allow St Lawrence Cement to continue burning chlorinated waste solvents until we have the test results.

**Mr David Tilson (Dufferin-Peel):** I too would like to congratulate the member for Wellington on his excellent summary of the bill and his comments with respect to the bill.

One of the topics that he mentioned in his presentation had to do with the statement of environmental values that will be presented by 14 ministries, as are listed, which will hopefully assist the Ministry of Environment and Energy in its policymaking.

The first comment I have with respect to that is that my reading of the bill is that this statement of environmental values, I predict, will be very general because, really, it will have no legal effect whatsoever with respect to the policymaking of the Minister of Environment or indeed of any environmental issues. It will be very general. I don't believe it will assist that much with respect to environmental protection, which of course adds to the next question, the cost to these various 14 ministries to make these presentations. It may be a lot, it may not be very much, but my guess is it'll be very general. The minister I think has indicated in the past that it won't, which will fortify my submission that it will be of a very general nature.

I would like to hear from other agencies such as Hydro. I would like to hear of such groups as Hydro making its statement of environmental values. It is interesting, for example, that there are other ministries that could comment. For example, there's no comment, unless there are plans in the future, to make the Ministry of Education and Training, the Chair of Management Board, it could be any slew of other ministries—not a slew but—

**Hon Mr Wildman:** Are you advocating that?

**Mr Tilson:** I'm simply asking the rationale for doing all this when it's probably going to be a very meaningless type of purpose to put this statement of environment values when it's not going to have any legal effect. It's going to mean nothing. So it's more waste to the government and more waste to the taxpayer.

**The Acting Speaker:** We can accommodate one final participant.

**Mr Gregory S. Sorbara (York Centre):** Let's hear from the minister. Let's hear a question or comment from the minister.

**The Acting Speaker:** The honourable member for Wellington has two minutes in response.

**Mr Arnott:** I want to thank the member for Durham-York for his observation and his question. Perhaps he didn't hear the initial part of my speech yesterday, but I did indeed give the government some credit for the fact that you extensively consulted over approximately a three-year period since the election, in spite of the fact that there was a commitment made in the Agenda for People for an immediate introduction of an environmental bill of rights.

In fact, in the first throne speech that the government presented, there was a commitment for an immediate introduction of a bill of rights. But I felt that you did the right thing by consulting extensively and I would applaud you for that. The question is, perhaps, who did you listen to? But we could get into that at another date.

The member also talked about the issue of opportunities for public input and clearly he's correct in that this is an opportunity for public input if this bill is indeed passed. My observation on that would be that there are significant other opportunities and avenues for public input that already exist. People write to me daily and weekly. They call me on issues of concern with respect to the environment. I bring those forward in the Legislature. That's one example of an opportunity for public input. There are, I would submit to you, dozens of other ways to present public input on the environment.

The member for Mississauga South, thank you very much for your kind comments. You talked about the need to fix existing programs. I find that with this bill one of the things I hear consistently from my constituents is: "We don't need new government programs. Fix the ones you've got."

I think the government is missing an important point there. They're bringing in this new bureaucracy. If the government has the political will to protect the environment, which it claims to do, which it purports to do at all times, it would find that it could protect the environment using its existing legislative mechanisms and the existing regulatory regime.

I want to thank the member for Dufferin-Peel, our critic, who has provided our caucus with great leadership on this issue. His indication concerning the state-

ment of environmental values that all ministries will have to undertake I agree with and concur with entirely.

**The Acting Speaker:** Further debate on Bill 26?

**Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings):** It's certainly an honour and a pleasure for me today to be able to speak to Bill 26, An Act respecting Environmental Rights in Ontario, and I say that very sincerely, because in my previous life, that is, the life I had before I was elected to this Legislature, I was an active environmentalist, as active I guess as one could be where I come from.

I was the co-chair of the Quinte Environmental Resources Alliance. The other co-chair was Shirley Langer, who is now the mayor of Belleville, and I think she too will be very happy with this Environmental Bill of Rights. It's something that all of us in the environmental community have asked for and advocated on behalf of for many, many years. Indeed, when Jim Bradley was the Minister of the Environment, we had great hopes that he would bring in an environmental bill of rights. Maybe I should refer to him as the member for St Catharines more appropriately, according to our rules. However, I really had great expectations from the previous minister in the previous administration, because I felt that within that administration he was one of their shining stars.

However, it's great to know that this Bill 26 has gained wide support by most of the members of this Legislature. We know there was wide consultation. We've heard some comments that we don't know how wide it was or if we consulted widely enough, but I think there was pretty comprehensive consultation, something we should always do when we make decisions like this.

I want to say too, Mr Speaker, to any of my constituents who might be watching right now and wonder what the heck I'm doing talking about the Environmental Bill of Rights when at this time their concern is about fees on the ferry, that I just want to remind them that I can't raise that during this debate, because you would most certainly call me out of order and I would have to return to Bill 26. I say that so that any of my constituents who might be watching understand that we have business to deal with in the Legislature, and today and at this time we're dealing with Bill 26.

When you deal with the environment, you tend to become concerned about environmental issues that take place in your locale, in your area. Certainly, when I talk about the environment I think about things that will affect the people in my constituency. I think it's fair to tell them and to tell the members of this Legislature that prior to my election in 1990, one of the compelling issues in my area was the closing of the beaches.

The beaches were closing because the coliform bacterial count had gone above 100. I think at that point

in time, if they had reached 100 then they had to be closed down; if they were lower than that, they were still considered safe. It became an election issue. At that time, I certainly vowed to my constituents—my potential constituents at that time—that I would fight to ensure that the environment was cleaned up and that we could look forward to seeing cleaner water in the area.

I know that since I was elected in 1990, yes, the beaches have closed down again. That doesn't mean we are not fighting to improve the quality of the water, but it's something that has deteriorated over a long period of time, and I think it will take some time before we can deal with all the courses and water systems that contribute to the pollution, but we're certainly working towards that.

When we talk about the environment, we often talk about the waste produced within our society. I'd like to say that during this time of economic recession, because of the recession we aren't producing as much waste. As bad as the recession is, environmentalists might say that's good. Because we have less waste going to landfill sites, there seems to be less urgency, although it's a small "less," I might say, to resolve the waste issue.

#### 1530

However, there are those people who are proponents of incineration. Those people would say we should be looking at alternatives to putting waste in holes in the ground.

I remember that during the election the Take No Trash group from Marmora, often referred to as the TNT group, was very concerned because there was an idea at the time that maybe we would fill up the Marmoraton mine site with garbage. There was a great hue and cry from the people in Marmora and the people downstream from the Marmoraton mine who would be affected by the influences of garbage being put into the Marmoraton mine. The people in Marmora were certainly not happy with that, and many other people weren't. This great hue and cry from these people stopped the notion or idea that maybe we could fill up the Marmoraton mine with garbage.

Even though the bill of rights wasn't in place at that time, when there are outstanding issues, as that was, there are ways and means to bring them to the powers that be, to the government, and to create a public interest so we can stop things like the Marmoraton mine from happening. I think that now we have Bill 26, the bill of rights—

**Mr Tilson:** On a point of order, Mr Speaker, I waited till my colleague had just described a very interesting story. I think there should be more stories like that told, but I don't believe there's a quorum to hear these stories.

**The Acting Speaker:** Could the clerk check whether

we have a quorum.

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**The Acting Speaker:** A quorum is now present. The honourable member for Prince Edward-Lennox-South Hastings may resume his participation in the debate.

**Mr Paul Johnson:** As I was saying, when there is a great hue and cry from the public about a large violation of the environment, then the powers that be come forward and manage the difficulty and resolve it in some way. Bill 26 will allow individuals who have concerns over smaller infractions, maybe some almost insignificant infractions or violations of the environment, to bring them to the attention of the powers that be so that they can be examined more closely.

I've heard it mentioned that the complaints might be deemed or seen to be frivolous. However, let me say that I think it's very important that people have an opportunity to bring forward their complaints and concerns about some of the smaller violations. The bill of rights will allow that to happen. The cumulative effect of many small violations of the environment, of small opportunities to create pollution, can be very disastrous. When we take a singular issue like the Marmaraton mine, for example, and the consequences of putting garbage in that abandoned mine, it is something we can see very readily, but when we talk about smaller infractions, it doesn't become evident immediately what the consequences of those infractions might be. I think this bill allows that opportunity to happen.

Down in my area, because I can speak to issues that have affected the area, many people are concerned about the environment. Concerns about the environment tend to become more important or less important depending on other circumstances, the economy, for example. I know that in my area there certainly are many environmental issues that maybe aren't seen to be so important today as they were three or four years ago, but that doesn't mean they still aren't important to the people who would be affected by them. With this bill of rights, whenever there is a change or whenever there is something coming forward that may have a negative impact on the environment, then we have an opportunity for people to make sure their voices are heard.

I really want to applaud the ministry for bringing this forward at this time. It's one of the most significant environmental pieces of legislation introduced in this province in many years. As I said at the beginning of my speech, it was certainly something that most of the members of this Legislature indeed thought was a very good thing.

When I knew I was going to have the opportunity to speak to this bill, I wanted to go back to that time prior to my election so I could examine what it was that I

had promised the people in my riding I would do. I actually have a little brochure that I passed around at that time, and foremost in my literature was the fact that I was going to work to improve the environment. Some of my constituents today might tell me I haven't done as good a job as I might have, and I may argue with them that I disagree. However, as I said earlier, the degradation of the environment is something that has taken place over many years, and to turn it around and to improve it markedly overnight is something we can't ensure or maybe necessarily expect to happen.

But I do think that because we now have Bill 26, the Environmental Bill of Rights, there will be more of an opportunity and occasion to examine things happening in our respective communities, to examine more closely the impact of any changes or any things that might occur in a negative way in terms of the environment. That's certainly very important. The fact that the citizens of the province of Ontario are going to have a greater opportunity for information is also very important.

Another issue that took place many years ago down in the north end of Prince Edward county was the burial of a number of 40-gallon drums—I'm not sure what it is in metric, but I know they were 40-gallon drums—and the water in the wells around this burial site was polluted. To have the aquifer polluted when people draw water from underground water sources is terrible and certainly was a disaster for the people affected. If we had had a bill of rights at that time, people who were concerned would have had an opportunity very early to recognize that something wrong was taking place and bring it to the attention of the powers that be, would have been able to bring it to the attention of the government, to the Ministry of the Environment, so that it could have examined more closely what was happening.

As it turns out, we didn't have a bill of rights many numbers of years ago when these 40-gallon drums of toxic waste were being buried, and as a result of that we found out that the aquifer was polluted. Many people suffered ill health, I might add, as a result of drinking contaminated water. It was very costly for the government to clean up; well, in fact it hasn't cleaned up the actual underground water supply, but what it has done is to supply the people living in the community of Rossmore with water from Belleville, which guarantees the safety of their drinking water.

I think Bill 26, the bill of rights, will allow us many opportunities to ensure the future of the environment in the province of Ontario, that the environment is maintained in as good a quality as we could expect so that future generations will not have to put up with contaminated water supplies, for one, will not have to put up with the inability to deal with circumstances that may be detrimental to their health, and certainly will allow them opportunities to very quickly turn around situ-

ations which, until this point in time, haven't been able to be remedied as quickly as they might have liked.

1540

I spoke earlier about the member for St Catharines, previously the Minister of the Environment in the Liberal administration. As environmentalists, we were waiting with a lot of anxiety, I guess you could say, and hope that he would deal with and bring in an Environmental Bill of Rights. It didn't happen. Personally, I don't hold that against him. At the time, there were probably other issues that commanded more of his time than he could afford at that time. His administration ran out of time, I might add. Maybe, had he had those extra couple of years, he would have brought in the bill of rights. He didn't, and as I said, personally I don't hold that against him.

It's good that we have this opportunity now. The people of Ontario want access to the courts, and certainly that's addressed in Bill 26; they want to be able to take issues to the courts. They want to have access to information. Many of these circumstances or problems that they have to deal with right now in terms of environmental issues are addressed in Bill 26. That's certainly something we all want to commend the present minister for. We laud and applaud him for bringing Bill 26 before the Legislature.

The previous Minister of the Environment, Ruth Grier—I guess I'm not supposed to call her Ruth Grier; she's the member for Etobicoke-Lakeshore—was an individual who understood the need for an Environmental Bill of Rights and understood the need for the government to manage better the environment in the province of Ontario.

She was certainly an opponent of incineration. She can probably best explain why incineration should not take place. I've listened to her speeches and her explanations many times, and I certainly couldn't disagree with her. I think incineration would not reduce the amount of waste in the province of Ontario. It may get burned up and we end up with a big pile of ash we have to put some place else, toxic waste, I might add. Certainly the 3Rs cannot be practised as completely as they might be if we use incineration in the province of Ontario.

When we look at our waste problems, we should certainly be reducing the amount of waste we have, and we can do that through the 3Rs by reducing, recycling and reusing; reusing being the best way, recycling being very important and, ultimately, if we just reduce the amount of garbage we create, we're going to have less to put in landfill sites.

That will make a lot of people happy around the province, let me tell you, because the cost to municipalities right now to remove waste and take it to landfill sites that are approved by the province is becoming greater and greater as the years go by. Certainly the

taxpayers are concerned about the additional cost for removing this waste. The fact that we practise recycling in the province of Ontario is something we should all give ourselves a pat on the back for. I would be surprised if there were many communities now in the province of Ontario that didn't practise recycling and the 3Rs. We want to reduce the amount of waste we create, because if we reduce the amount of waste we create, then that reduces the amount we have to put into landfills, it reduces the cost to the municipalities, as they have to truck it off to landfill sites, and certainly it will reduce the notion by those who would support the idea of incineration that we need incineration.

We have basically three things to concern ourselves with when we look at the environment, and these are well-defined in the bill. We speak about air—air is not air in an enclosed environment but the air that circulates freely outside—we talk about the earth and the land, and we talk about the water.

When we talk about the air, we don't want to pollute that, and when we talk about incineration, that is another avenue where we would make a large contribution to the amount of pollution we put into our atmosphere. The results of that are widely known and understood by many people to be not the sort of thing we want to endorse.

When we look at our land, there are many ways in which we pollute our land, and we certainly want to reduce that. When we used to put lead in our gasoline, they used to do tests along the major highways in the province of Ontario and we recognized that lead was certainly a pollutant that was increasing in levels that were contributing to poor health of people in some areas. Certainly, if we were to look at the human race, I guess, speaking rather broadly, we didn't want to create a group of people who were toxic lead carriers in future generations. We've dealt with that and we've removed lead from gasoline. I think everyone applauds that idea and thinks that's a very worthwhile thing.

I also think, when we look at how—

**Mr Sorbara:** Are you taking credit for that? The federal government did that. Are you taking credit for that too?

**Mr Paul Johnson:** I'm saying that—

**The Acting Speaker:** Order, please. The member for Prince Edward-Lennox-South Hastings has the floor. The member for York Centre can have the floor immediately after if he wishes, but right now the honourable member has it.

**Mr Paul Johnson:** To respond to the member for York Centre, I'm not taking credit for anything; all I'm saying is that many people and many governments in the past have done things very conscientiously, very deliberately, in order to reduce the amount of pollution that we're putting into the atmosphere. Certainly, that is

something we've done.

I want to say that this government was the government that introduced and is dealing with an Environmental Bill of Rights. Bill 26 is certainly something that I think everyone in the province of Ontario will commend. I guess now that I'm a politician—sometimes I wonder about that. Who wants to be labelled a politician these days? I don't think anyone in this Legislature would.

However, I want to say that, having been an environmentalist in my previous life, as I said when I first started speaking today, I certainly commend and applaud Bill 26. It's something that we in the environmental community have advocated for many, many years and I want to say it's about time, from an environmentalist perspective; it's about time we had an Environmental Bill of Rights in the province of Ontario so that people have more access to information, people have more access to the courts, so that people can actually do something when they see a violation taking place with regard to the environment.

As I said before, not to rehash an old debate that was very recent in my comments, if it's a large issue, certainly the government and public opinion will come forward and it will be something the government will deal with. But in some of the smaller issues in some of the smaller communities where it doesn't get the media, it doesn't get maybe the government's immediate attention, then certainly when people become aware of some violation of the environment then they will have an opportunity, under the bill of rights, under Bill 26, to bring their concerns forward and have them addressed. I think that is something we should have had a long, long time ago.

I said earlier that the degradation of the environment, to the extent that it has occurred—and some people would argue how much that is and to what extent that is—certainly in Ontario over the—

**Mr Chris Stockwell (Etobicoke West):** On a point of order, Mr Speaker: Hearing from an environmentalist first hand, I think we should have a quorum here.

**The Acting Speaker:** Do we have a quorum?

**Clerk Assistant and Clerk of Committees:** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Mr Sorbara:** For your own member. Surely you would be here for your own member's speech. This is an important speech.

**The Acting Speaker:** A quorum now is present. The honourable member for Prince Edward-Lennox-South Hastings may resume his participation.

**Mr Paul Johnson:** I was very glad to hear the member for York Centre tell my colleagues that this was a very important speech. I agree with him.

As I was saying, the environmentalists I know would certainly commend this bill and I hope they're happy with it in its entirety. I know that environmentalists, because I was one, can be very particular when we want to see our concerns addressed in legislation.

1550

I've had an opportunity to read the bill, and as I've listened over the last few days to many speakers from all parties speak to this bill, there have been some concerns raised, but the general feeling that I got, the general sense that I got, about Bill 26 was that most people here are quite happy with it.

As I said, as an environmentalist—I wouldn't want to say that I represent them all, but in my former life, being one who was concerned about the environment, as many people were—many people were concerned about the environment and maybe didn't label themselves environmentalists. I'm sure some of my colleagues in this Legislature would claim that.

However, I was one who certainly put my name on the line and went out and did a lot of sometimes outlandish things to bring attention to the concerns of the environment, and I think that, having had an opportunity to read through the bill, most people I know who were fighting and advocating on behalf of the environment would find that this bill represents their concerns quite well.

I think one of the concerns that was raised was the fact there would be some concerns that there may be undue delays as a result of Bill 26 when there were certain developments taking place. I've had an opportunity to look at it and, from my own perspective, I think there's a good balance here. I think there's a good balance in so far as it offers an opportunity for people who are concerned to bring their concerns forward, to have them addressed and not unduly delay the process for any kind of development. I think that compromise, that balance, was something that was very important for all the people who were concerned.

There are people who would suggest, I know, that we don't need a bill of rights. People do not want to see their opportunities for development unduly delayed or delayed at all. Again, as I refer to Bill 26, it becomes clear to me as I read it that we have made a compromise that I think everyone certainly will have an opportunity to live with.

I think this Environmental Bill of Rights certainly does empower the citizens of the province of Ontario, and gives them rights they didn't previously have in order to protect the environment. People aren't necessarily always environmentalists. I claim to be one. I came from that part of society in my previous life. Based on any particular issue or any particular concern, people may or may not be environmentalists. Generally, they roll along happily with their lives and aren't necessarily labelled environmentalists or concerned about the

environment particularly but, by God, when an issue happens in their own backyard, whether it be a landfill site, the notion that there might be an incinerator going down the street or the fact that someone has brought to their attention that there has been some waste dumped in a watercourse near where they live, suddenly there's a great hue and cry from those people, and although, as I said, they're not labelled environmentalists, they will certainly take a stand, and they will certainly be seen to be environmentalists until they resolve the particular issue they have to deal with.

Certainly I know that in my constituency, we have had to deal with polluted waters, polluted aquifers. We have discussed the incinerator issue within my constituency. We've talked about landfill sites and we've talked about assessments for landfill sites, and certainly from time to time people, as I said, who aren't necessarily environmentalists, come forward with great concern about the environment. I applaud these people. I think it's important that they certainly make their concerns known.

Where they would maybe have had to use the media or there would be a great hue and cry from a larger group of citizens in order to bring it to the attention of the Ministry of Environment, now we have a document, Bill 26, An Act respecting Environmental Rights in Ontario, the bill of rights, which will allow them to do that much more easily. They will have the exact ways and means by which they can deal with any violation that has been brought to their attention. Indeed, it only takes two people to do that.

I think that's important, the fact that fewer people have an opportunity to bring their concerns forward and have them heard and again, as I said earlier, without any unnecessary delay in the process.

I just want, in conclusion, to say that again I want to applaud the minister on behalf of myself and, I think, my constituents, who would agree that this is a piece of legislation that's long overdue. I think it's important that very few years after having taken over in the province of Ontario, we have an opportunity now to actually represent the environment to the extent that we have with this bill.

Again, the minister should be applauded. I think that it's timely. It's important to all those people who are concerned about the environment. The fact that it's been spoken about so positively by members from the Liberal Party, members from the Progressive Conservative Party and certainly by members of the NDP I think in itself is certainly a stamp of approval that any minister would be proud of upon presenting a piece of legislation in this Legislature. We know that not all legislation gets that kind of endorsement. I think the fact that this Bill 26 has received the outstanding endorsement that it has certainly lends a lot of credence to the bill.

Certainly I think that will go a long way to ensuring

that the future of the environment in the province of Ontario is maintained at the highest quality. I think present generations and future generations will be thankful that we introduced Bill 26. They too will applaud this government, this minister, the Ministry of Environment and Energy, for having introduced this piece of legislation and made it available to the people of the province of Ontario so that they have an opportunity to bring their concerns forward in a very timely, efficient and effective manner.

**The Acting Speaker:** Questions and/or comments? The honourable member for Dufferin-Peel.

**Mr Tilson:** I listened to many of the remarks that were made from the honourable member. I appreciate some of the things that he was saying. Part of the gist of his presentation was that the people of this province aren't being listened to with respect to environmental problems. The individual is not being listened to. Indeed, there's no question that part of the role of this bill is to increase the involvement of the public in dealing with the Ministry of Environment on environmental issues.

The question that I ask to you is, if you're an individual and you have an environmental question, why can't you call the Ministry of Environment? As an individual, why won't the Ministry of Environment provide the very information that you're asking for? There may be other things, whether it's a sewer line or whether it's putting garbage in a mine shaft or any of these other concerns that you've raised in your presentation. Some of the concerns are quite valid, and you've made it quite clear that the Minister of Environment is not dealing with a lot of these issues.

But is the way to solve this problem to create another bureaucracy, a bureaucracy that's going to pay some Environmental Commissioner the salary of a deputy minister? He or she is going to be hiring at least 15 people, from what the Minister of Environment says, but if you read the section, it can be an unlimited bureaucracy; as many bureaucrats as he sees fit. Meanwhile, keep in mind what the Ministry of Environment is doing. The Ministry of Environment is cutting back on its bureaucrats. The Ministry of Environment can't even keep up with the complaints and enforcing the environmental issues of this province today, so how in the world is an Environmental Commissioner going to be doing the very things that the Minister of Environment is supposed to be doing?

So I appreciate the member's comments. They're all very valid comments. I'm simply saying that the answer is not to throw more money to another bureaucracy that's not going to solve the problems.

**The Acting Speaker:** Further questions or comments? The honourable member for Etobicoke West.

**Mr Stockwell:** Having heard from a staunch envi-

ronmentalist, you'd be extremely pleased, I would note, to think that in Hamilton, the Swaru incinerator is closed. You would be thankful that we have such a staunch environmental government here today, that has the bill of rights before us and strong environmental laws, that it's closed that incinerator. I think they've closed it.

**Mr James J. Bradley (St Catharines):** I think you'd better drive by it.

**Mr Tilson:** Is it smouldering?

**Mr Stockwell:** Maybe it is still operating. You hear from environmentalists such as the one who just spoke, who's a government member. You'd think a 15-year-old, outdated, antiquated incinerator operating in the city of Hamilton would be closed, and you wonder, how can that continue operating with such staunch environmentalists sitting in caucus over there? It's strange, isn't it, the paradox that faces this government on occasion?

The other strange thing about this pieces of legislation is, you'd think that if they were truly looking for environmental rights for the people in the province of Ontario, they wouldn't exclude anybody under the Environmental Bill of Rights, but son of a gun, they do exclude some people. Do you know who they exclude?

1600

**Mr Bradley:** Who?

**Mr Stockwell:** Themselves. This Environmental Bill of Rights doesn't apply to dump sites, for heaven's sake. Can you imagine that? What's the biggest issue facing constituents in Ontario today from an environmental point of view? You'd think it would be dumps, wouldn't you? But this doesn't apply to that.

The questions asked stand, the paradox lives: How come the bill of rights doesn't apply to dump sites that this government is foisting on communities unfairly, without a full environmental assessment hearing? Those questions are strange questions that just can't seem to be answered.

When I hear an environmentalist such as this stand up, the red-faced logic that he uses, I ask you, why do these paradoxes exist? Maybe you can give me an answer. Why does this bill not apply to you and everybody else? There's fear out there and that question should be answered.

**The Acting Speaker:** Further questions or comments? The honourable member for Prince Edward-Lennox-South Hastings has two minutes in response.

**Mr Paul Johnson:** I would tell my colleagues opposite that life is a paradox. I can't respond to some of the questions that were posed because I certainly am not the Minister of Environment, nor do I represent the Ministry of Environment.

But as comprehensive as Bill 26 is, I think it's clear that there's certainly a segment of the environment and there are certainly things within the environment in the

province of Ontario that have not been managed well in the past many years, tens of years, and I think it's clear that if the government doesn't do a good enough job of looking after some of these problems, then certainly the bill of rights will allow an opportunity for people in the broader public to come forward and raise these concerns.

I think that clearly the Environmental Bill of Rights addresses many of those problems that have not been addressed in the past and for that, yes, the environmentalists are thankful. I think that when we look at all the problems we have to deal with in the province of Ontario, the Environmental Bill of Rights addresses a certain and specific number, and for that many people will be very happy.

**Mr Stockwell:** On a point of order, Mr Speaker: Considering the fact that was a really bad answer, I would give unanimous consent to give him another try. That's two out of three.

**The Acting Speaker:** It's not a point of order. Further debate?

**Mr Sorbara:** This Bill 26 that is before this House, this NDP Environmental Bill of Rights, I would suggest is a bill that is hardly worthy of presentation in this Legislature. But I think, before I delve into that, I'd like to put this bill and what we're debating and what we're doing here in this Legislature in some context.

Let's remember where we are. We're sitting in the Ontario Legislature. We are the 130 people who are elected to debate the business of the province and the public issues of the province and to consider solutions to the issues that confront us.

We've been off all summer. We had an extended sitting into July, I guess it was, but after that this Legislature rose and we went to our constituencies and we went to our families. We left this place for one and a half or two months or whatever. Now we've come back to this Legislature, all 130 of us, to debate the business and the issues that confront Ontario, and it seems very strange to me that what we're debating here is this watered-down, ineffectual, quasi bill of rights as presented by the Minister of Environment and Energy.

I say that because when we went home to our home communities and we walked down the main street of every town in Ontario and talked to the people who elected us, my experience—and I believe it to be the experience of every single member in this Legislature—was that no one came to me and said, "Would you please get on with the NDP bill of rights?" After a whole summer of considering what we as legislators should be doing in Ontario, what we as the elected representatives of the people should be doing in Ontario, I think the last thing the people want us to do is to be considering this piece of legislation as we return from our summer recess.

Look at what's happening out there. Consider what's going on in Ontario. For three years now, we have been in the worst economic recession or depression in the past 50 years. In our communities, every single one of them, the situation is the same. Stores are empty. Factories are being closed down. The people who have been looking for jobs are still looking for jobs. Our real rate of unemployment in Ontario is some 14% or 15%. In my own community, Friday after Friday in my constituency office, people come to me and say: "Please, sir, is there anything you can do to help me find a job? I'm losing my home. The stress on my family is unbearable. My own self-worth and dignity are in tatters."

That's the story in every community in Ontario. Yet we take the summer off, we go back to our communities and we come back here and the government presents us with an Environmental Bill of Rights.

We heard from the Minister of Finance about a week ago that once again the revenues coming in in this province are some billion dollars short of what was predicted, what was proposed, what was provided for in the budget of just a few months ago: a billion-dollar shortfall. Once again in this province we're going to have a deficit of over \$10 billion. The revenues aren't coming in.

Then you talk to the people who work inside the government and they say: "Inside here it's absolute chaos. The social contract ain't working." The morale of the public service is at an all-time low. The famous expenditure control program that was going to save \$4 billion in government expenditures is not working. That's the message we get, and we come back here and we're asked to debate some two-bit, watered-down Environmental Bill of Rights.

People aren't working. They're losing their homes. My God, if you go to any main street, any street in Ontario, you see For Rent signs; you see bankruptcy sales. I wonder if anyone in the government has ever run a business and seen it go down the tubes. I wonder if one of you has had five or six or 10 or 20 people work for you and has had to call them all in to the office one day and say: "Friends, ladies and gentlemen, it's all over. The bank's called the loan. I've got a second mortgage on my house and this business has to close." I wonder if one of you has experienced that, because that is the experience of the people in Ontario in 1993, in September, as we come back to work from our summer vacation to debate the government's Environmental Bill of Rights.

Well, I want to talk about rights, because this is apparently a bill about rights. I want to tell the government that in this little piece of hypocrisy, this little piece of duplicity, this environmental smokescreen—the government, if it really wanted to do something about rights, if it really wanted to concern itself about rights,

then it might look to the chaos that is the Human Rights Commission today.

It might devote a little time and attention and energy to the fact that those people who look to the Human Rights Commission for redress, having been turned away from employment because of the colour of their skin, or having been refused an apartment, or having been insulted in some other way, come to my constituency office, and do you know what they say? They say, "I went to the Human Rights Commission, and the Human Rights Commission said, 'We will give you an appointment 30 months from now to begin to consider your complaint.'"

**1610**

**Hon Ed Philip (Minister of Municipal Affairs):** The waiting time is a lot less than when you were the government.

**Mr Sorbara:** How's that for rights? How's that for fairness? How's that for justice and equity in Ontario? Yet the government asks us to consider and vote on an Environmental Bill of Rights.

**Hon Mr Philip:** What did you do about that? The waiting list was longer.

**The Acting Speaker:** Order, please.

**Mr Sorbara:** Now, Mr Speaker, we're getting a little babble over there from the member for Etobicoke-Rexdale. Whenever they start to babble, you know you've hit a nerve. That member there, for Etobicoke-Rexdale, knows full well what chaos exists in the Human Rights Commission. As they present this bill for yet another commissioner, yet another grand saviour of the environment, he should at least stand up and acknowledge that the embarrassment that is the Human Rights Commission today should shame this government, particularly given that in its days in opposition it had been the champion of rights for everyone.

But let's talk about rights. Let's talk about some other rights. Let's talk about the rights that workers in this province once had to bargain collectively the content of their collective agreement. Let's talk about what the great New Democratic Party of Ontario did to collective bargaining in the public sector and the broader public sector under the social contract. Let's talk about that reality. Let's talk about in one bill in this Legislature completely striking from the law books of Ontario the basic human workplace right to negotiate your collective agreement freely and openly with the people who represent you at the bargaining table.

*Interjections.*

**Mr Randy R. Hope (Chatham-Kent):** You took away most workers' rights in this province.

**Mr Stockwell:** That's a bed sore.

**Mr Sorbara:** That's a little bit sensitive, isn't it? The legacy of this government in Ontario is that it struck down the rights of public sector and broader

public sector working men and women to freely bargain collectively to reach an agreement on what terms and conditions would regulate their workplaces.

**The Acting Speaker:** I want to remind the honourable member that we're dealing with Bill 26.

**Mr Sorbara:** I tell you, Mr Speaker, we are dealing with legislation dealing with rights. I'm trying to compare the hypocrisy of this government in presenting an Environmental Bill of Rights almost immediately after this Legislature passed one of the most draconian, one of the most obnoxious pieces of legislation that has ever been considered here.

I want to tell my friends that my message when I go back to the people of York Centre and go back to the people of Ontario is that the first order of business for the Ontario Legislature after the next election should be to re-establish free collective bargaining in the public sector.

We're in the middle of a federal election in Ontario. You won't be surprised if I tell you that I've knocked on quite a few doors during the course of the past two or three weeks. I've met people in Burlington, I've met people in Scarborough and I've met people in Windsor who say to me, "Whoever else we vote for, and we're not sure yet, we're not voting for the NDP."

Just the other day I encountered a nurse at a small house in Burlington. I'll remember this for a long time. She was standing in the door, it was supper time, she had her young 18-month-old baby in her hands and her husband was with one of the other children just down the hallway somewhat. She said to me: "I'm a nurse, and what the NDP did to us in our workplace I will never forgive them for. Worst of all, for three years now our right to negotiate has been taken away from us. I will never, ever vote for them again."

They talk about rights, they talk about environmental rights, this petty piece of legislation, this watered-down, insignificant image of what they had promised their friends before they were elected. During this campaign, I see voter after voter saying, "We have been so disappointed in what's happened to us."

I met another voter who said: "I am so embarrassed to have been a member of that party. I'm a public sector worker, and we never expected that our right to negotiate our collective agreements would be taken away from us. We expected that they wouldn't do everything that they had promised," they said. "You're a politician, and no politician can ever deliver on all the promises they make, but we never expected to lose our right to bargain."

If the Liberals are re-elected or if the Tories are re-elected in Ontario, because it certainly won't be them, I hope that whoever is elected as a first order of business simply re-establishes the basic right to bargain. That's a right that working people fought long and hard

for, years and years; and the violence and the illegal strikes and all of that stuff. I thought we had settled all that, and I thought we had settled all that 40 or 50 years ago.

**Mr Hope:** We did 40 or 50 years ago. It's just when the Liberals were in power that we saw—

**The Acting Speaker:** Order, the member for Chatham-Kent. If you want to participate in the debate, you'll have the opportunity. The member for York Centre does now have the floor. Please continue.

**Mr Sorbara:** So when an NDP government, which has lost the confidence of the people, particularly on that issue of rights, the right to bargain, the basic right to go to the table and speak to your employer about your wages and your working conditions—when you've lost that right at the hands of an NDP government, I wouldn't trust it with the most insignificant right. And this bill is full of a bunch of insignificant rights that won't improve the environment one iota but will create a little bit of bureaucracy and give an opportunity for the government to say in an ad during the election campaign, "Well, at least we passed Bill 26, the Environmental Bill of Rights."

Now let's look at whether this bill will have any real impact and let's look at whether the government really believes in the rights of people to make submissions, to oppose, to raise concerns about issues relating to the environment. Let's look at that.

I invite the members of the government caucus, come and take your bill to the city of Vaughan, come and take your bill to York region, come and present your Environmental Bill of Rights to the people who have been fighting for the past two and a half years to keep Metro's garbage out of the city of Vaughan and out of York region. Let's look at how that decision came about, and let's look at whether the rights of citizens have been acknowledged by this government and its Environment minister and its environment policies.

However was the decision to put a new megadump in York region made? Was it made after consultation? Was it made after study? Was it made after an examination of all the alternatives? Ask the now Minister of Environment or ask the former Minister of the Environment, the member for Etobicoke-Lakeshore. Ask Ruth Grier, ask Bud Wildman how that decision was made.

The decision was made in the back room of some cabinet committee or some cabinet without one iota of consultation. One dark day about two and a half years ago, Ruth Grier, as Minister of the Environment, stood up in her place and announced that her government had decided that the proper site for Metropolitan Toronto's garbage was in some back field in York region. With all the opportunity and all the technology necessary and available to deal with waste disposal, Ruth Grier, on her own, without one bit of consultation, said that she had

decided that the best place to put a new megadump was in York region. She has thus far spent over \$50 million on the Interim Waste Authority trying to justify and rationalize and substantiate that faulty decision.

1620

And what about the rights of the people, the people of Vaughan? They have marched, they have protested, they have come down to the lawn of Queen's Park. They have had demonstrations in their home community. They have made submissions before the IWA. They have received the support of virtually every single editorialist throughout southern Ontario and every editorialist who has written on the merits of the infamous Bill 143. Virtually every editorialist has said that the government and its decision to dump Metro's garbage in York region is wrongheaded, will never survive scrutiny.

And yet—talk about rights—will this bill let the people of Maple and the people of Vaughan sue for their rights? Well, no sir; they can't use this bill. This Environmental Bill of Rights is not going to stop the Minister of Environment from having his way, creating a new megadump in the city of Vaughan.

But thank God there is another right in Ontario which will stop the madness and the insanity of Bill 143 and its chief purpose, which is to unload Metro's garbage into the city of Vaughan. That is the right to vote. Now, this government has played fast and loose with rights, from human rights to employment rights to environmental rights to just about any right you could think of, but I don't think it's going to mess up the right of the people to vote.

As I said, I've spent a great deal of time knocking on doors during the first couple of weeks of the campaign, and I have heard on more than one occasion a voter saying to me: "My God, I wish this were an Ontario election, because I'm ready to change the government of Ontario. I'm ready to tell Bob Rae what we think of his social contract. I am ready to tell Bob Rae what we think of his new taxes. I am ready to tell Bob Rae what we think of his view of economic development. I'm ready to tell Bob Rae what we think of his government."

I saw this happen almost 20 years ago when I lived in British Columbia and Dave Barrett was the Premier of British Columbia. He was elected in 1972. By 1975, the voters in British Columbia were so angry at Dave Barrett and his NDP government that three political parties joined forces to eliminate that government from BC.

I don't think it's going to take that sort of action, but I'll tell you quite frankly that from what I've heard from voters in many corners of this province thus far, this government does not have much more than about 18 months of life to go.

When you get right down it, it's not necessarily casinos and it's not necessarily the flip-flop on automobile insurance, but when it got down to the social contract and when people saw that Bob Rae, with the assistance of his Minister of Finance, Floyd Laughren, put the knife into public sector workers, that was it. You could just feel it wherever you went.

These people are not saying that there shouldn't be restraint. Heaven knows, we all agree on restraint. But taking away someone's right to participate in the collective bargaining process was so obnoxious, was so antithetical to what you believed in, to what Bob Rae said he believed in, that there was just a quantum loss of faith in the political process generally and certainly in the honour and the integrity and the trustworthiness of some 70 members of a governing party that had said, over years and years of opposition, that it alone was the chief defender of the rights of people in Ontario.

My major concern during that whole debate under the social contract and the right to bargain collectively was that if this is the new standard, if a Rae government, if an NDP government, could simply turn its back on well-established and well-entrenched rights in the way in which we govern ourselves, what would happen in Ontario when some right-wing, mean, angry political party accidentally was elected in Ontario?

What would happen is that they would use the Bob Rae precedent against the public sector, teachers and nurses and lawyers working in governments and working in legal aid clinics, the whole one million broader public sector workers; they would use that example of Bob Rae's turnaround on the rights of public sector workers to snip and cut and annihilate rights left and right, all in the name of deficit reduction, better government or whatever excuse a government uses to justify its actions.

This bill will probably pass, as all of the government's bills do because of the way our system works: The government has the majority and it will finally have its legislation passed. I simply want to point out to the government members and those who are considering the context of this debate and the content of this debate that this Environmental Bill of Rights, notwithstanding its title, has very little to do with what Bob Rae or Ruth Grier promised while they were in opposition. It is watered down, it is inconsequential, it will be ineffective to improve our environment in any way. Those who are fighting environmental challenges today, whether it's the people in Vaughan or York region or Peel or Durham who are fighting this mad desire of the government to put megadumps in the greater Toronto area, this bill will not help them.

This bill does not apply to the single most-renowned polluter in Ontario, the government of Ontario. The government has insulated itself from the terms of this bill. This bill will create work only for an Environ-

mental Commissioner, who has no power, and the civil servants who will support him or her in his or her office. This bill will not allow citizens to bring forward and finance and foster and develop new and more creative solutions to the delicate and difficult issues of environmental regulation.

This bill simply represents the need of a government that is desperate to do something or other. This bill is evidence of a government who has refused to acknowledge that our people are out of work, that our main streets are vacant, that our businesses are under more severe pressure than they have ever been. This bill is simply a vacuous document meant to take up the time of the Legislature because the government has nothing to present to deal with the crises that are confronting every community in Ontario: the crises of unemployment, the crises of economic chaos, and the crises of the chaos in public administration in a government that has lost its way.

This bill is here before us because the government has nothing else to present to us; no plan to put people back to work; no plan to reduce some of the burden of taxation that is killing our citizens and strangling our businesses. This bill has nothing to do with, and nothing to command itself to, the real problems that the people of Ontario are confronting.

It will pass; of that there is no doubt. Groups will come before a legislative committee to make their submissions. Small, insignificant amendments will be presented and adopted. The bill will come back for third reading and it will become law.

I just simply put it to the government that, having gone through all of this, we have simply wasted not only our time but affronted the people of Ontario who are so desperately looking to us to debate the real issues of the day and start to tackle the real problems that so urgently demand our attention.

**1630**

**The Acting Speaker:** Questions and/or comments? The honourable member for Dufferin-Peel.

**Mr Tilson:** I must confess, when I first started to hear the member's remarks, I thought his comments were rather irrelevant, talking about social contract, but he really has hit the nail right on the head when we start talking about rights, which is what this bill is all about. What are the rights of the people of Ontario? Well, he's told us what rights the social contract gives the people who have worked hard in entering into union negotiations. I won't get into that.

I will say that I represent the people of Caledon, who have been fortunate enough to have two of the remaining 15 dump sites in their area. They are continually asking questions of me as to what their rights are. They're concerned about their farms because there are dumps right in the middle of their farms, there are large

estate areas of homes in these areas of dumps, and they don't have any rights under this bill to fight these issues. They're worried about the rats, they're worried about the smell, they're worried about dumps being built on top of aquifers, but they have no rights with respect to Bill 26. This bill gives none of the people in Caledon who are concerned about seagulls or, as I indicated, smells or rats or anything else with respect to dumps—if the Environmental Commissioner existed today he would simply say, "Sorry, I can't deal with it," because it is absolutely irrelevant.

So much for rights. It's a very strange bill when it says it's going to give people rights and, if anything, it's just words. There's no question when you read the preamble. We all agree with some of the thoughts in the preamble, but the member is right on the button when he simply says, "So much for rights." You, of all people, who have absolutely destroyed union negotiation in this province as a result of taking away the whole concept of collective bargaining in this province, now to come forward with this piece of legislation is a bit of a sham.

**The Acting Speaker:** Further questions or comments?

**Ms Margaret H. Harrington (Niagara Falls):** I very much take exception to the member opposite's comments. I believe he's all wrong in what he's saying. First of all, the bill of rights is needed to empower people in this province. I'd first of all like to mention a few people from my area who have for many years put their hearts, their souls, their lives, their families into working on environmental issues and trying to speak out, trying to be heard and trying to get action.

First of all, I'm sure everyone has heard of Margarita Howe from Niagara-on-the-Lake and what's she's been trying to do with the water source down there, and that was almost 12 years ago. Then of course, there are Al and Penny Oleksuk for Citizens for a Clean Environment and their group, who have been speaking out on all kinds of local concerns; people like Professor Mike Dickman, who have been looking at the fish habitat in the Welland River. They need this kind of right, and every single citizen needs this kind of right.

I want to also mention to the member opposite that this government was elected on a social justice agenda and that is the clear path that this government is on. What has happened to going down that path is a load of bricks has been dumped on that path and that is the economic situation we face. I'd like to just tell you that that situation of this economic problem that we are facing was addressed by Hal Jackman to the students of the University of Toronto in July. What he says is that the private, corporate debt that has arisen over the 1980s has led to some of this problem and that there is nothing fruitful coming out of all of that debt that was incurred during the 1980s.

I'd just like to say that we are facing this difficult situation of dealing with the economic problem but we will not lose our direction going down that road of social justice, we will not lose those principles, while at the same time, in an honest and a caring way, we are managing this economy.

**The Acting Speaker:** Further questions or comments?

**Mr Robert V. Callahan (Brampton South):** I want to applaud my colleague the member for York Centre for his comments on this. I did pick up on one thing that I think is very essential: The only thing the people of Ontario seem to understand about parliamentary democracy is that a government must maintain the confidence of the people. As the member for York Centre said, in my constituency people are losing their jobs, they're losing their homes, they're losing everything. What's happening over there is that if you tag the word "rights" to something, it suddenly becomes very sexy and popular.

As the member for York Centre said as well, our system is bad, because when you get a majority government it's in there for five years. They can stay till the magic bell of midnight and leave the slipper on the stairs, like Cinderella. They can create all sorts of unfavourable, unpopular legislation in this province. That's exactly what they're doing.

The member for Niagara Falls says, "We are following our cares about the concerns of those people we represent." Well, I tell you, you have gone 360 degrees. You've brought in legislation in this province that has devastated people, that has left people without jobs. People are moving to the west because they can't stand this province. They can't stand what's going on in the government of this province. You have to change the system. The system has to be changed if a government like yours is going to create the devastation and the wild and woolly ideas. You can put "rights" in front of it, but it doesn't help.

What you're doing is you're not addressing the major problems. The major problems are the question of jobs, the question of people losing their homes, the question of children, because they're leaving their homes, because there are marriage breakups. The NDP has not done that. You're not even addressing that. I hope to God we change this system so that when we get a government like yours in power—be it yours, be it the Conservatives, be it the Liberals—it can be turfed if it doesn't have the confidence of the people of Ontario. You do not have the confidence of the people of Ontario.

**The Acting Speaker:** We can accommodate one final participant. The honourable member for Etobicoke West.

**Mr Stockwell:** I think the analogy the member was

trying to draw is a fair analogy.

**Mr Jim Wiseman (Durham West):** No, he's a hypocrite.

**Mr Stockwell:** The member for Durham West suggests that he's a hypocrite. I think that's both unparliamentary and unfair, particularly—

**Mr David Winninger (London South):** He used the word himself.

**The Acting Speaker:** Order, please. Members do know that the words that are being bandied around are unparliamentary. Please. The honourable member for Etobicoke West.

**Mr Stockwell:** I think the analogy is a fair analogy. When you deal with a bill of rights there's a certain value attached, that this is not negotiable, it's beyond reproach, it's there, it stands on its own and it can't be changed without both parties' agreement, much like a collective agreement, particularly from a labour government.

The problem you have with the analogy that seems reasonable is that of credibility. I believe the member for Niagara Falls believes in her mind that she's still going down that same road she thought she got elected to. The problem is that you may believe it, but nobody else does. You see, you've got a credibility gap, and the gap is that if you're prepared as a government to attack the very fabric of that which you believe in—negotiated settlements, collective agreements—why would you bring forward an Environmental Bill of Rights? You don't have credibility any more. The analogy is fair. It's not uncalled for; you brought it on yourselves.

The member for Niagara Falls, if you really believe that anyone out there buys into that speech you gave, you are more shortsighted and naive than even I believe, because nobody buys that stuff. You sold out on the social contract and now for ever more you shall be lectured. You should just simply go on reading and stop heckling, because you have no right.

1640

**The Acting Speaker:** This completes questions or comments. The honourable member for York Centre has two minutes in response.

**Mr Sorbara:** I appreciated the comments from all five members. My speech was really a simple one. I just wanted to make two points. The first one was that a government that violates the fundamental rights of workers to organize and bargain collectively—not that those bargaining sessions should have resulted in more; sometimes they result in less; that's the reality of the workplace—a government that cuts the rights to bargain collectively has no authority whatsoever to ever again use the expression "bill of rights." If they want to do something, they should go back and restore the rights of working people to bargain collectively at the table, start there and then go to the Environmental Bill of Rights.

The second point is this: The worst possible environment in Ontario is the environment of poverty, is the environment of joblessness, is the environment of hopelessness, is the environment that confronts so many of our people. That is really the worst of all environments, the environment of no hope, the environment where people are out of work, where their businesses have failed.

If you want to start to deal with the environment, that's the place to start. Rewrite your budget, pull out all the stops, keep us here till midnight, but let's figure out a way to get working people back to work so that they can have the dignity of a job and be able to feed their families and live respectable lives. If you're concerned about the environment, that's where the environmental degradation is going on and that's where you should be starting.

**The Acting Speaker:** Further debate on Bill 26?

**Mr David Johnson (Don Mills):** Mr Speaker, I'm going to try to focus a little bit more on the bill itself perhaps and some of my concerns pertaining to the Environmental Bill of Rights, Bill 26.

In Ontario, we need an environmental process that identifies substances that are harmful to our environment, to our air, to our water, to our land, and we need a process that places strict limitations on these substances. This process must be firm, but it must be fair. It must be logical; it must be workable. Finally, I would say that we need a commitment in this province to enforce the standards that are in place. Of course, beyond that again, the whole process must be done in an efficient and an effective way so that we obtain the maximum benefit for the tax dollar.

How does this particular bill stack up if we look at those kinds of criteria? Does this bill identify any further substances that are harmful to our environment? Does this bill place any stricter limitations on substances that could be polluting our air, our water, our land? Does this bill, for example, identify any further metals that are getting into our water stream? Does it place further restrictions on the coliform content that may be getting into our rivers, our lakes, materials that may be polluting our drinking water? No, it doesn't. It doesn't speak to that.

Does this bill identify any further pollutants that may be getting into our air? Does it place further restrictions on carbon monoxide or does it identify any further noxious gases from our factories or from our automobiles, from the emissions of our trucks or buses? Does it place any further limitations? No, it doesn't speak to that. It's completely silent. Does it identify any further chemicals or place any restrictions on chemicals that may be polluting our land? No, again, it's completely silent.

Does this bill demonstrate a commitment by the

government, a commitment by the Ministry of Environment? Does it demonstrate any further commitment by this government to enforce the laws that are in place, to enforce the environmental standards to ensure that our environment is safe for us and for future generations? Does it give any more money to the Ministry of Environment to do the job that it's supposed to be doing? Does it give any more resources to that ministry to ensure that the ministry does a better job than I must say many people would give credit to the ministry at the present time? Again, it's silent. No, it gives no further support to the Ministry of Environment.

However well intentioned, what the bill really does is it shifts the onus of the responsibility from the Ministry of Environment, from this government, on to the citizen. It gives citizens some right—as we've heard; we've had a great discussion about rights—some apparent right, although that right may be very transparent in the final analysis, but it purportedly gives the citizens some right, through complaint and through court action to address environmental concerns they perceive.

This is a fundamental change. At the present time, the environmental concerns are supposedly enforced by the Minister of Environment, and we have every right as citizens to expect that the Ministry of Environment will be investigating, will be pursuing environmental concerns right across this province in an even and uniform and fair manner, will be identifying pollution, will be identifying hazards to our environment and will be taking the appropriate action. This is what the taxpayers have the right to expect.

But that's not what this bill supports, and as a matter of fact, having discussed this with people who are involved in the environmental area, who have information in terms of the environmental process, there is a strong suspicion that this bill is indeed a slap in the face for the Ministry of Environment.

This bill says the Ministry of Environment is not doing its job at the present time, that the Ministry of Environment is not able to do its job, and consequently what we're doing is shifting the onus of that responsibility on to the citizens. We're saying that the Ministry of Environment either doesn't have the staff to do the job, doesn't have the willingness to do the job, or doesn't have the commitment to do the job, but the bottom line is that the ministry is not performing the kind of job that the people of Ontario expect, the kind of job that we're paying the ministry for.

Consequently, this particular bill is saying: "Well, then, shift that responsibility to the individual. Allow the individual to register a complaint to an Environmental Commissioner and have that commissioner inspect. Allow the individual to take action through the courts, to sue, to bring in litigation, and through that sort of process to have the environmental matter pursued."

I guess the question here is, is this the most effective way, the most efficient way for us to go in the province of Ontario? Will this ensure that we have a uniform and a fair process, a uniform and a fair enforcement of our environmental standards across the province of Ontario? I can only say that there is a great doubt among the people of the province of Ontario that this will be an effective way and that this will be a fair and a uniform fashion for environmental laws to be respected.

I might also say that there's a great doubt that the average citizen will have good access to this process. Indeed, and there's a great deal of concern about this, this process could tend to be dominated by environmental activists, people who are well aware of the levers to pull or the strings to pull. In actual fact, it could be dominated by environmental activists who could target certain industries, certain businesses, target certain municipalities. Then I guess we have to say, is this setting in place a discriminatory process, a process that may unfairly affect a certain segment of our community, our business community or municipal community, and not treat matters fairly?

The final point that I raised in my introduction was, is it cost-effective? We've already heard today discussion about the Environmental Commissioner. There's an environmental registry that's to be set up. There is a great deal of concern that this environmental registry could cost millions of dollars to set up, to maintain, to ensure that it's up to date, an environmental registry that could well prove to be a source of great material for environmental extremists, let's say, who might tend to manipulate this against certain sectors.

But beyond that, there is an Environmental Commissioner, of course, that's being recommended, an Environmental Commissioner and a bureaucracy associated with the Environmental Commissioner.

1650

Other members have expressed this. I will simply echo the comments that it's very ironic in this day and age, when we as a provincial government and when municipal governments, school boards, hydro utilities are being requested to cut back. Taxes are too high and expenditures are too high, and we must cut back; we must deliver a service at a more reasonable cost to the people of the province of Ontario. That is a view I subscribe to 100%, that is the kind of approach we must take, but I find it very ironic that at the same time as we're preaching cutbacks through the social contract, for example, at the same time we're doing that, we are today discussing setting up a new bureaucracy and a new commissioner to be paid at the level of a deputy minister, with a salary range, as I understand it, of up to about \$150,000 a year, perhaps a bit more; with staff that it's left to the Environmental Commissioner to employ, to employ such number of employees as the commissioner deems necessary to deal with the com-

plaints that may come in, complaints that are very valid. There may be in addition, though, complaints that are not valid and that will occupy a tremendous amount of time. We talk about the pension of the commissioner in this bill, and on and on it goes about the cost of the Environmental Commissioner.

In a time of restraint, do we need more bureaucracy? In a time when our municipalities are being asked to cut back, when our school boards are being asked to cut back, why does it make sense to set up a new bureaucracy? Why does it not make sense to look at the existing Ministry of Environment and Energy and say: This is where the onus lies; in this ministry is where this responsibility should rest. Why is this ministry not doing the job today? That's a question that, frankly, doesn't come out of this bill, but it's a question that I think should be addressed. I believe that's the direction in which we should proceed.

We have all been accused of raising environmental issues within our own ridings, which are important. There certainly is a great need to be aware of environmental concerns here in Metropolitan Toronto. I could cite examples of environmental concerns, perhaps environmental tragedies, if you wish. I know two or three years ago in Metropolitan Toronto, we dealt with two or three plating companies that were discharging materials into the system that violated our environmental standards, and action needed to be taken. This bill would not help out in a case like that. The Metropolitan Toronto council took the appropriate action, did the monitoring of the discharge, found there were violations and brought the violations to the immediate attention of the companies involved.

We've talked today about economic development. I must say, at that particular time there was concern, not only for the environment but because there were a number of employees of these plating firms who depended on this particular firm's existence for their livelihood and that of their families. That was a concern, but the bottom line was that the problem had to be corrected.

The Metropolitan Toronto corporation worked with the plating companies, gave them time, continued the monitoring, laid out the fact that these metallic hazards—nickel, lead, aluminum, various substances that were getting into the stream—had to be brought down to the proper limits so they could be treated. Through a series of notifications and plans, and some legal action, I might add, the whole process was rectified.

Does this bill give any assistance in that regard? No, it doesn't. There is a government, the Metropolitan Toronto government, that was determined and committed to coming to grips with the environmental hazard that was at hand, and it did so. That's what we need from the Ministry of Environment, not another commissioner, not another bureaucracy, not tens of millions of

dollars setting up another bureaucracy. We simply need a commitment to provide the enforcement, a commitment to protect the people right across this province.

I could mention the Don Valley, the river. There is great concern in the borough of East York in Metropolitan Toronto about the Don Valley river system, about the pollutants that are in the Don Valley, about the faecal coliform content, about chlorine, about metals and fertilizers that are entering the Don Valley river system not only in Metropolitan Toronto but from the north, from the region of York, into that particular system.

I wish I could stand here today and say that that system, through the concerted effort of local governments, has been rectified. I can't do that, but I can say there has been a great deal of effort and there is a commitment. The governments are certainly identifying the problems and they are working on them; there are plans in place. I expect that the Don Valley river system will be a much better system in the years ahead and will live up to our expectations in terms of the cleanliness of the water.

Will this bill, Bill 26, assist in that regard? Does this bill provide any more resources to municipalities that may be looking at ways to treat the water, the storm water that's going into the system? No, it doesn't. It doesn't provide an extra nickel for any municipality that may need some support in terms of cleaning up the storm water, for example.

I might also say that what it might do, and there is concern, is provide a forum for those individuals to sue municipalities, or at least to complain to the Environmental Commissioner about municipalities that are attempting to clean up the storm water system that enters into the Don system, and it may hold up that process where municipalities are proposing to make investments to clean up the storm sewer system. It might actually hold that process up, to the detriment of the Don system.

I'd like to switch to another area, because my main area of concern, of course, is with municipalities. I have discussed this with some of the planning staff in this province, various planning people in the province of Ontario, and there is another level of concern that's coming out. This concern is, how does this particular bill pertain to the planning system in the province of Ontario?

For example, to take it down to the basic level, how does this bill impact on the issuance of a building permit? We all know that many people are concerned, for example, if there's a second storey that's proposed for a house next door. There's the privacy factor, there's the loss of sunlight, there may be other factors pertaining to a tree that might have to be taken down to put on an addition to serve a family that's growing. Could this bill be used to block a building permit? Could this bill

institute another round of red tape in the building permit system within the municipalities of the province of Ontario? We don't have that answer.

There is concern out there in the municipalities that this could be another roadblock not only for the municipalities but of course for the individual who is seeking a permit, taking it on to the decisions of the committee of adjustment, for example, who may consider minor variances, who may consider a variance, for example, where a setback is three inches short of meeting the regulations.

**1700**

Could this bill be used by those in a community, whether it be two people or however many people, to block or lengthen a process for a home owner to seek the approval of the committee of adjustment to expand their home? Perhaps there's a new baby in the house, perhaps a new bedroom is needed, but the addition is such that it doesn't quite meet the standards. A person may have to go through a lengthy committee of adjustment process, may have to go through an Ontario Municipal Board process, may get the approval of the local council, may get the approval of the Ontario Municipal Board. Could they then, as a further step, a further level of red tape at the municipal level, be required to go through an environmental review? What will that mean to the planning process in the province of Ontario?

This government has asked John Sewell to bring forward a report to speed up planning in the province of Ontario on the one hand—I'm not sure that he's done that; we'll see when the report is debated—but here, on the other hand, are we injecting another hindrance in the planning process of Ontario?

Let me just walk you through a rezoning application. I would say that it's quite likely that this bill would afford further hindrance in terms of a rezoning application within municipalities today.

Let me just walk you through the kind of timing that we're involved in in the province of Ontario. In many municipalities, a serious proposal for development—and we're talking jobs here, and the member for York Centre, I think it was, was talking about economic development, creating jobs, getting people back to work. In my own riding, there's a proposal for an Aikenhead's hardware store. We could be talking about that kind of proposal which would be good for the construction trades. We could be talking about a proposal in the final analysis that will create a number of jobs and get people back to work. We could be talking about housing. We could be talking about any number of rezoning applications. But it certainly, in all likelihood, will be good in terms of getting people back to work.

But what do you have to go through to have such a proposal considered? You may have to go through a review of some six months with the local ratepayers,

with the local councillors. You certainly have to do studies. You have to do transportation studies. You have to do environmental studies. Environmental study is in the planning process already, and here we're recommending another system, another environmental watchdog, a duplication. You have to do planning studies, financial studies, marketing studies. You have to submit your application. You have to have your application circulated to various agencies, certainly to the Ministry of Environment and Energy. You have to have it circulated to Hydro, to the school board, to transportation agencies. On many applications, whether this be for housing, whether this be for business, there could be 20 to two dozen agencies that have to be circulated today to comment, and one of those agencies is the Ministry of Environment.

If you talk to the planning people in the province of Ontario, they will tell you, without a doubt, the slowest response in the planning process today comes from the Ministry of Environment. To get a response from the Ministry of Environment today to comment on development in this province can take six months, and then the response is more apt to be that further study is required. It is extremely difficult in the planning process to get a definitive answer from the Ministry of Environment.

This bill should be addressing that kind of situation. It should be saying, "What extra resources does the Ministry of Environment need?" so that they can comment in a suitable period of time on development processes in the province of Ontario. That's the problem we have in planning today. We can't get a straight answer.

I've worked my way down through part of the process. That part of the process can take a good year. So far, you haven't even got a public hearing. Up to that point, you've just been generating reports, you've been getting comments back from agencies, but you haven't had a public hearing. It can be another five months before you can get a public hearing to let the general public, the people who live in the area, know about the planning proposal.

Then, of course, the minister, if it's an official plan amendment, has to comment on the proposal. That can take another three months. There can be an Ontario Municipal Board hearing—an Ontario Municipal Board hearing, I might add, that considers environmental matters, transportation matters, as well as all other planning matters. That whole process can take two to three years today.

The concern out there today in the planning community with the municipalities is, will this process that is being debated here today—the Environmental Bill of Rights, Bill 26—impose another step? After that whole process is completed, will we have another step, another complaint to an Environmental Commissioner or some sort of legal action to add again more and more time on

to a process that can already take up to three years in duration? How, if that's so, is it not a duplication? Already today, through that whole process, the local council considers all environmental matters. The Ministry of Environment is involved. It takes twice as long as it should, but it's involved. The Ontario Municipal Board considers all those environmental matters. How can we impose another structure on top of something that's there already?

Perhaps it's already been pointed out that the major issue, certainly in the greater Toronto area today, of environmental concern involves the disposal of waste. Various other speakers have referred to that, but I would be remiss if I didn't echo the comments that this is the number one issue and it has been for a number of years: the disposal of waste in Metropolitan Toronto, in the region of York, the region of Durham, the region of Peel and, indeed, across the province of Ontario. But there has been a tremendous focus certainly here in Metropolitan Toronto.

This bill does not pertain to that number one major issue that is pertinent to the people of the greater Toronto area. That particular issue is exempted from the provisions of this bill. Would this bill not be better directed if it said that in terms of waste disposal, in terms of landfill sites, all options should be considered, all options should go through an environmental process? If there's a problem with the existing environmental process, if it doesn't consider all the factors, if the government is unsatisfied with the environmental process that exists today for landfill sites, for example, would it not be better if the government were to identify what it's dissatisfied with and make those kinds of changes to the existing process today?

For example, the Kirkland Lake site, which has been mentioned—the Adams mine site—is a possible site for the disposal of waste, not only for the greater Toronto area but for much of Ontario. Would it not be better if that particular site was considered, along with other suggestions, through a thorough environmental process? If the government says, "No, the environmental assessment process," for example, "can't properly deal with that issue," then let's change that environmental process where it can't deal with it so that we're happy with it, and then let's consider all the options.

### 1710

Instead, what we have here today is a new process that allows individual people to randomly complain about issues, and an Environmental Commissioner to be set up, perhaps in the same vein as the Human Rights Commissioner. I've heard reference to the Human Rights Commissioner here today, an office that has budgeted about \$13 million or \$14 million this year.

Is that the kind of process the people of Ontario deserve, or do they deserve fair standards, identified standards, so that business knows what those standards

are, so that the people know what those standards are and so that those standards are uniformly enforced right across the province of Ontario, not left to the random deliberations of various activists who may target certain industries?

**The Acting Speaker (Margaret H. Harrington):** Questions and/or comments?

**Mr Stockwell:** The point that I think the member for Don Mills made that has not been addressed, in my opinion, by the government members is the cost and what it would take from an updating and implementation point of view of dealing with simply the environmental bill as it sits on the table today and the Environmental Assessment Act.

Those points are well taken. We know full well that the cost is going to be rather excessive. We don't have a fix on how many staff it's going to be. We know there's going to be a commissioner, and it seems to me that if they endorsed, supported and implemented the existing act, it could in fact accommodate what they're trying to do with the Environmental Bill of Rights. It seems that it's not being implemented, and I don't think it was particularly well implemented under the Liberal government either.

My problem with the present act the way it sits now is that two people can close down all kinds of very important works that are being taken up in the province of Ontario, and not necessarily for reasonable and environmentally sensitive concerns, just because they have a chip on their shoulder. The fact is that can happen.

You may laugh and debate it, but who would have thought, when they introduced the environmental act that we live under today, that a dump site could take 17 years to get through an environmental assessment process? That's what the dump site took in Halton, 17 years.

The people I talk to aren't talking about expanding environmental rights. They're talking about proceeding in a reasonable fashion through an environmental assessment hearing that allows development, job creation projects, to take place within a reasonable length of time. The environmental bill as it sits today is being used by all kinds of people for different reasons than it was ever intended to be put in place for.

Those kinds of questions I think are brought forth and should be answered by the government, and today I've not heard any of these answers.

Of course the big answer is, if this is such a great bill, why does it not apply to you?

**Mr W. Donald Cousens (Markham):** I appreciate when you have the experienced voice of the politicians coming into the House bringing forward the concerns of Metro Toronto and the successes they had and how it would apply to Ontario. I'd like to apply one of the big

stories that affects the people of York region and Peel and Durham. It has to do with the placement of megadumps in each of those three regions. That process is somehow exempt from any kind of analysis or reaction by the public using this Environmental Bill of Rights.

This is snake oil. It's nothing other than just some kind of thing you'd pick up at the circus. It's got a lot of words around it that says it's going to be an Environmental Bill of Rights. It is not a bill of rights. It has no power like a bill of rights, and yet the government has won the public relations battle by saying, "Here we are." When they come out to the public and say, "We have brought in an Environmental Bill of Rights," it doesn't begin to give people the right and the authority to really have a say and a voice in environmental matters.

Bill 143 is an example of what this government's done. It took away the rights of municipalities and regional governments; it took away the rights of property owners as far as what this government can do and will do in the selection of garbage dumps is concerned.

You come along now and pontificate about having a bill of rights. It is meaningless garbage when you start talking about what it really means to the people of Ontario as to what this government has already done. When I hear about the government saying, "Yes, we're bringing in a bill of rights," this is nothing more than a set of rules to help people find out what's going on. It sets up another bureaucracy. But as far as really having fundamental change and giving people real power on the environment is concerned, it doesn't do that. So I commend the member for Don Mills.

**Mr Tilson:** Madam Speaker, I'd like to congratulate you on your new appointment to the position where you now sit. I wish you well. I'd also like to thank and congratulate the member for Don Mills on his presentation today, and from his own perspective. We appreciate the experience he brings to this House and hopefully the members of this House will listen to his words.

The issue of process really hasn't been emphasized in any of the speeches I have heard and I have sat through all the speeches that have been given on second reading. This is the first time any emphasis has been given on the subject of process. There's no question that's something we need to look at.

I think all members are now realizing the vagueness of this bill, the vagueness of the definitions, the vagueness of the discretion, that the ministers can refuse to do something, or do something; as I indicated, the lack of definition, the fear that two individuals over the age of 18 years can raise a concern and cause procedural delays.

The municipalities are fearful as to the definition of "instrument," and yes, hopefully that may be improved in the committee process, but the municipalities are

certainly concerned that two individuals over the age of 18 years can come and delay, whether it be sewer lines, zoning applications or any other of the, whatever "instruments" mean under this bill.

Finally, there's section 90. Various members of the government side have boasted as to what the courts can do. Section 90 says, "The court may stay or dismiss the action if to do so would be in the public interest." So they go through this whole process only to find that on presentation perhaps it's too costly; in fact, they raised some of the issues as to the grounds why a court can stay or dismiss an action. Even if they go through all this, the whole process can end simply because the courts find it too costly.

**The Acting Speaker:** We have room for one more speaker for questions and/or comments. If not, we have two minutes for the member for Don Mills to respond.

**Mr David Johnson:** Thank you, Madam Speaker. Although I referred to you in your new position, I didn't add my congratulations as well and I certainly do that. We look forward to your career here in the Legislature.

I thank the members from Etobicoke, Markham and Dufferin-Peel for their comments. I have great concerns and I think they referred to them in their comments. Sitting at the municipal level for over 20 years, I'm aware that—

**Interjection:** That is a long time.

**Mr David Johnson:** It's a long time, that's right, and I'm aware the people of this province, particularly at this time in our history, are just sick and tired of more government. They are fed up with the costs of government. They are expecting efficiencies within our government. They're expecting a reduction in the cost of government and they're desperately seeking this. We need that, because the level of taxation is so high, not only for the individual but for our businesses, that it's costing jobs. That's so crucial. When you talk to people today, it's a great tragedy that people today are unemployed or underemployed. They're having trouble meeting their mortgage. They're having trouble putting food on the table. There's a great tragedy in our society today.

This is just not a time to consider another bureaucracy, another agency or department that's going to take more and more of the taxpayers' money. This is a time to work with the government structure we have, to reduce it, and if it's not doing the job it's supposed to do, then study that and put in place measures that will allow it to do it—but not a time to add more government. That's a major concern.

1720

**The Acting Speaker:** Are there any other members who wish to participate in the debate?

**Mr Bradley:** I would like to begin my address to the assembly this afternoon by doing something I have

done on a number of occasions, that is, lamenting the lack of emphasis on environmental issues out there in general at this particular point in time. I well recall in my early days in the Ontario Legislature in the late 1970s and then throughout the 1980s that environmental issues were often the matter of very detailed discussion in this House and most assuredly were in the public domain through the news media.

I can recall during my privileged time as Minister of the Environment that seldom a day would go by without the lead item on television or radio on a newscast being an environmental issue being justifiably discussed by the news media. Very seldom would there be a day where, in the major metropolitan dailies of this country, in particular of this province, there weren't many issues discussed related to the environment at that time.

Yet largely because we're in a recession at this time and there are difficult economic times, the emphasis has shifted for the news media. As a result, there has been little pressure on governments across the country, and most assuredly in the province of Ontario, where we're in the midst of a deep recession—we hope we're going to come out of it—to move on environmental issues. This has been reflected in the agenda that the government has brought forward in the field of the environment.

I lament this, as I think many members of the government do. I listened to the member for Prince Edward-Lennox-South Hastings talking about the fact that one of the issues he was concerned about when he ran for the provincial parliament was the issue of the environment. He must be frustrated by the fact that circumstances or whatever—the circumstances, let us say—have dictated that the government has not moved on a variety of environmental fronts, because the expectation in the field of the environment would have been very great that an NDP government, of all the political parties—because it was in the Agenda for People, because of the excellent work done in opposition by various critics, one who is sitting across from me at this time.

The member for Hamilton Mountain at one time was Environment critic. The member for Etobicoke-Lakeshore, who was in the House, and others who were Environment critics did an excellent job, I thought, in bringing forward to the Legislature these issues and discussing them in a very public way. Yet I look at two different Environment ministers who have been unable to obtain widespread support within the cabinet to move forward on a lot of environmental fronts where I think they would be in very good territory for the NDP.

I also look at the people's network, the CBC, and I've talked many times about Metro Morning, Radio Noon, 4 to 6 and As It Happens. I well recall receiving many calls from the producers and from the hosts of these programs asking that we discuss environmental

issues. Well, yesterday I turned on Radio Noon. The call-in show was about gardening: How's Your Garden? Today I turned it on, and they were talking about which birds are going south. So day after day, when the producer used to have the person from South Carolina who was living beside a plant that was going to come to Ontario, and wouldn't all the children die who lived around that plant, and that interview would take place, we don't hear that now.

When we discussed the ratio of non-refillable to refillable pop bottles, soft drink containers, they used to phone me often, both Metro Morning and Radio Noon, to talk about that. That was back when the ratio was about 30% to 70% in terms of refillables and non-refillables. Well, it's down to 6% and 7% today. Do we hear that on Radio Noon? Is it on Metro Morning? Is it an issue in the *Globe and Mail*? The answer is no, because there are other issues that have taken over as significant issues. I lament that, because I think it's important, never mind politically but for the environment, that there be that kind of coverage, that there be that kind of attention paid to this important subject.

I ask the question as well, I suppose a bit rhetorically, where have the activist environmental groups been for the past three years? They were on my doorstep many a time, and justifiably so, presenting excellent cases for action by the government, and in more cases than not they were very influential in obtaining some significant action out of the government.

I commended them on many public occasions for the advice they provided to the government and for the help they were in bringing these issues forward in a public way. Could it be that some of them have placed their NDP affiliation ahead of their concern for the environment? I would hope not. I would hope that it would not be the case, because the environmental issues have continued. Yes, they have been pushed into the background because of economic circumstances, but if I as minister had put together a panel to advise on this bill and it had come forward with this bill, I can assure you that the environmentalists would have walked out of that situation; they would have walked. Yet they can sit in the gallery from time to time and defend a clearly—I don't know if this is politically correct to say today—emasculated Environmental Bill of Rights, certainly one that does not resemble the original one that was put forward by the critics for the NDP.

I ask whether people are prepared to accept less in the field of the environment from an NDP government. I am certainly not prepared to accept less, because in many ways I admired many of the policies that were developed at the policy conventions of the New Democratic Party. And many of my friends from the New Democratic Party, not only in the House—I think of Stephen Lewis wanting to save the farm land that's being gobbled up almost daily at the present time, but

I think of people inside and outside of this Legislature who play this significant role and I wonder if they're prepared to accept less than they would from a Conservative or a Liberal government.

I know that members of the trade union movement are not prepared to accept less from this government than they're prepared to accept from a Liberal or a Tory government, and I admire members of the trade union movement who have taken to task any government that happens to be in power that passes legislation they do not agree with or fails to deal with issues that they consider to be of public importance. I think others could take a lesson from members of the trade union movement—who have done this in difficult times, because many of their friends are in the House at the present time; many of the people they admired over the years are sitting in the cabinet and are key advisors to the Premier. I would hope that others would follow their example and be critical of the government and helpful to the government regardless of what its political stripe happens to be.

I guess I ask rhetorically as well, can you imagine the reaction of the New Democratic Party members or of some of the strong activists if a Liberal government or a Conservative government had brought forward a bill containing the provisions of this bill? I would suggest that they would be extremely critical and in a very public way, and yet there has not been the kind of criticism that we might have expected: constructive criticism, helpful criticism for the environmental process.

Some may smugly say, "Well, we've got them in our pocket so therefore we don't have to worry about that." What we all have to be concerned about is not the political aspect of this but the environmental aspect. It doesn't help the environment. Again I tell them to look to the trade union movement, which is not prepared to accept what it does not consider to be appropriate in the field of labour, and I think others could follow that good example.

I also wonder, if this were a top priority of the Bob Rae government—and I heard that it was throughout the election campaign and previous to that—why after three years this bill has still not been enacted. It has gone through a long consultation process. One says it is helpful to be consultative, and I would agree that there is always a need for consultation, but this has taken an inordinately long period of time to make it into the House, for a bill that was a priority of the previous government and of the previous minister and the present minister and colleagues.

I've heard it said, and this is a rather interesting provision, that this act does not apply to the crown or the government. I can well recall, back I think it was in 1986, bringing forward some rather radical changes to the penalties provision under the Environmental Protec-

tion Act, where the penalties would mean that you could send corporation presidents or cabinet ministers to jail if they failed to carry out their responsibilities, and the fines were increased 10-fold into the millions of dollars as opposed to the slap on the wrist that used to be there.

**1730**

I remember the reaction of my cabinet colleagues when they picked up the *Globe and Mail* the next day and read that under sweeping new provisions of the Environmental Protection Act, corporation presidents and cabinet ministers could go to jail for the following offences.

One of the key provisions of that act was the removal of a statement that said, "This act does not apply to the crown." That doesn't sound like it's very significant to the public out there, but I'm going to tell you, that's a very, very significant provision. Governments always should be prepared to subject themselves to the same rules that they apply to the private sector. It certainly buys a lot of goodwill with the private sector, but more important, it compels the government to have a good environmental record, to be careful about the role that it plays within the environment.

There are great expectations, clearly, for this government in many areas, and I have seen some of them and I've been hoping to see some action in that. I would like to read to you an environmental report that came out. If you want to know how important a bill is to the business community—and I know this government, particularly the Premier, is often afraid of the business community because, naturally, the business community tends to be antagonistic towards the NDP.

I always contended, by the way, that it was easier for Liberal or Conservative governments to deal harshly with business in some of those cases than it was for President Nixon to go to China or to end the Vietnam War. It was not expected. The people who were the toughest on the Communists were always the people who you would expect would not be able to do that, but they were the only people who would do that. Democrats were considered to be soft on Communism, for some reason or other. There's an analogy here that one would expect, and perhaps not be surprised, that a Liberal government or a Tory government would be tougher on business in many cases than an NDP government, which would have to curry some favour with business. It's not always the case, but certainly with Premier Rae I would say that has been the case.

But let me read to you—this is a group that puts out a report to business on various pieces of legislation. Let me read what they say. It says, "The Environmental Bill of Rights: Don't Worry, Be Happy." I'll quote extensively from it.

"The Rae government's Environmental Bill of Rights...is scheduled to be proclaimed by December 31, 1993. While some in the business community and the

media have raised the spectre of battalions of citizens and environment groups suing every factory with a smokestack, the reality is very different. In fact, there are elements of the EBR which business can use as 'government relations tools.'

"While the NDP government has brought the EBR forth, its origins in Canada may be found almost two decades ago in Estrin and Swaigen's *Environment on Trial*, published in 1974. In the 1970s, opposition parties and environment groups wanted an EBR because the environment was not a priority for the Progressive Conservative government of the day. On November 20, 1979, Dr Stuart Smith, then Liberal leader, introduced Bill 185, An Act respecting Environmental Rights in Ontario. Smith later introduced a slightly revised version in June 1981. Liberal Environment critic Murray Elston reintroduced Smith's second version in the Ontario Legislature on April 29, 1982.

"The main elements of these proposed bills included: access to information; public interest funding; protection of employees' rights; public consultation for regulations and instruments; and the concept of a public trust in the environment. All of the items except the last were dealt with in one form or another during the Peterson administration (June 26, 1985 to October 1, 1990).

"During that period, in an effort to politically embarrass the Liberals, who seemed committed to an EBR while in opposition, NDP Environment critic Ruth Grier introduced a gender-neutral version of the Liberal EBR on four occasions. However, when she became Environment minister, she soon realized that the main elements of her bill were obsolete due to intervening legislation, policy or administrative practices.

"The draft bill released by Mrs Grier in July 1992 and introduced by Environment minister Bud Wildman for first reading on May 31, 1993, is radically different from the original document brought forward in the 1970s. As one knowledgeable observer stated recently about the NDP's An Act respecting Environmental Rights in Ontario, 'The only thing that survived was the title.'

"Many business commentators are concerned with part IV of the EBR, which allows an Ontario resident to take a polluter to court for environmental harm to a public resource where there has been a contravention of environmental laws. There are two key reasons why Ontario's corporate community should not be overly concerned by the right-to-sue provision.

"First, a prerequisite to bringing this action is a request for investigation to the EBR's Environmental Commissioner. The EC will submit the request to the Ministry of Environment and Energy for investigation. Those investigating the matter will be the minister's regional abatement officers whose job is to ensure companies are following the law."

The communication goes on to say: "Most of the investigations will prove that the concerns are unwarranted for one key reason—to do otherwise would show that the same abatement officers were not doing their job. As a result, there will be valuable time wasted by such individuals who will then write 'self-preserving' memos rather than do their jobs, protecting the environment."

"Second, the ministry is renowned for its investigation and enforcement branch. Their presence, along with stiff maximum fines and the provision for jailing officers and directors of companies, has led to a more enlightened environmental attitude within Ontario's corporate community. Only those companies that flagrantly flaunt the law will be hit by the EBR's right-to-sue provision or, more likely, investigation by the investigation and enforcement branch and the MOE&E prosecution. And most environmentally responsible corporate citizens will applaud.

"Part IV of the EBR permits any two Ontario residents to request reviews (seeking amendments, repeals or revocations) of existing (environmentally significant) government policies, acts, regulations and instruments, or to suggest the need for new ones. This section should provide Ontario's corporate community with a perfect opportunity to request reviews of a range of matters. In fact, this section alone makes the EBR a significant government relations tool.

"For example, two Ontario residents (such as a CEO and COO of a company) could request a review of Ontario's recent municipal solid waste anti-incineration policy and regulation. Similarly, two other Ontario residents (such as a paper worker union member and the CEO of a pulp and paper company) could ask for a review of the zero-AOX goal in Ontario's MISA pulp and paper sector regulation.

"The request-for-review section of the EBR is important for corporate Ontario to be aware of, to be supportive of, and to utilize in efforts to make pragmatic environmental policy which truly protects the environment rather than just protecting environmental ideology."

They go on to say on many occasions in this document that in fact the corporate community has nothing to fear with this Environmental Bill of Rights. In fact, I believe that the Canadian Manufacturers' Association has been among the groups to endorse this particular legislation.

The conclusions reached in this document, in this advice to industry, are the following:

"Mrs Grier's task force on the EBR recommended that the EBR 'recognize government's primary responsibility for protection of our environment but also provide the public with the means to hold governments accountable for that responsibility.' To that end, \$4.5 million

has been set aside over two years by a cash-starved government to establish the Environmental Commissioner and a staff of 12, bring an electronic registry on board for public consultation purposes, and to implement and operationalize the EBR in 14 ministries.

"The \$4.5 million will be insufficient to achieve the desired ends, and thus concerns of the business community about the bill may be moot—no money means no implementation means no results.

"Even so, more fundamental questions must be asked of the Rae government. Why do we need an EBR? Why do we need one now? There are two answers to these questions.

"First, the EBR is a political imperative for the NDP. Mrs Grier was determined to see such a bill passed in her opposition days. Further, the NDP likes to be perceived as the only political party that cares about, and knows how to protect, the environment.

"Second, the Rae government inherently thinks with an opposition mentality, as do many environmental groups. In this mode of thinking, bureaucrats who worked with the Liberals and the PCs before them cannot be trusted and must be held accountable for the responsibility of protecting the environment. In this regard, one government watcher remarked, 'With the EBR, the NDP will set up a bureaucracy to replace a bureaucracy they don't trust.'

"Is this good environmental public policy, or is this just something else to be reviewed?" That remains to be seen.

To continue, one of the problems with implementing an Environmental Bill of Rights is that you must have the resources to back it up. At the present time, the Ministry of Environment and Energy is having its budget cut, as are all ministry budgets throughout the government of Ontario.

1740

**Hon Mr Wildman:** Are you opposed to that?

**Mr Bradley:** Yes, I am opposed to it because I happen to believe that you judge a government's priorities by how much money it spends, by how much power you give to that ministry, by the resources and staff that are there. When you begin to cut out areas that are a priority to that government, when you begin to treat them as you treat all the other ministries, you run into great difficulty. The argument that I would make is that in fact the minister should be given more resources and more staff and more money to deal with environmental issues, and the government can spend less on those things which are not as big a priority to this government.

What is going to happen is that the people who are making the representations through the provisions of this bill will be taking the ministry staff in directions that are important to those people, but not necessarily

important to the Minister of Environment. I know that the member for Etobicoke-Lakeshore, the member for Algoma, both have environmental priorities in their minds, issues that they would like to see dealt with expeditiously and very extensively.

But they're going to have their staff now following the advice and the intervention of individuals, and so, with a limited, restricted staff, with a lower budget, this government will not be able to carry out its own mandate to protect the environment while at the same time dealing with the provisions of this bill. If the government were at the same time prepared to allocate significantly greater resources when implementing this bill, then there would be an allaying of that particular concern.

In the budget of the ministry, I see that the air resources division, for instance, in the 1990-91 budget was close to \$15 million being spent. That is now down in the estimates to \$9.8 million. In water resources, \$24.5 million in 1990-91; down to about, in the estimates, if they pass, \$19.2 million. I express sympathy for and concern for the Minister of Environment and Energy when these fewer resources are devoted to his ministry and he cannot carry out his responsibilities as I'm sure he would like to have them carried out.

I know there is money for a consultant to advise the minister on how to answer his mail. I know they've had money for that consultant. I can tell you how you do that: You simply get the mail off your assistants' desks, because that's what I had to do, get it off the assistants' desks, and move it along quickly. I know there are far more assistants available over there these days. The second is, I drove by 135 St Clair Avenue and they seemed to be tearing up the trees in the garden there to plant a new group of trees in the garden, a desert garden. I don't know where they have the money for that, but they happen to have it.

I would be much more interested in seeing the minister present to the House an evaluation of and a progress report on remedial action plans around this province, because there appears to be virtually nothing being done in terms of funding and implementing the remedial action groups that are around the various hot spots in Ontario.

I well recall the member for Etobicoke-Lakeshore in many years gone by standing in this House and justifiably urging immediate action in the implementation of the municipal-industrial strategy for abatement. Well, it's way, way behind in its implementation today, and yet I would venture to say that the annual reporting of the Ministry of Environment, the effluent reporting, will be better because we have so many industries closed down, so little economic activity taking place. It'll be similar to Ontario Hydro now not needing the capacity it has. By the way, I notice that Ontario Hydro is now exporting electrical power, something I never thought in

my lifetime I would ever see an NDP government allow—the exporting of electrical power from this province—but I understand the circumstances.

I've been looking forward to the minister standing in the House and announcing the full implementation of the clean air program, a MISA, if you will, for the air emissions in this province. Yet in three years we have seen absolutely no action, except I have seen some action. The acid rain office has been closed down or cut way back in the Ministry of Environment; it must be solved, there must be no more acid rain in this province.

I express concern, and justifiably so, about the appropriate funding of the investigation and enforcement branch of the Ministry of Environment. There are people in the ministry who have always wanted to see that come under an authority that is not an independent authority. I raised this with the minister. I hope by raising it in the House he pushed aside any who were suggesting a reorganization within the ministry that would allow interference with the investigation and enforcement branch by putting it together with certain other branches whose job is significantly different from the investigation and enforcement branch.

I hope it's not regionalized. I hope there isn't a movement around to reduce the power and influence of the investigation and enforcement branch. I know that branch is not popular with the vice-president, pollution control, of any particular corporation or of any polluters in this province, but I can tell you it's extremely important that this branch be expanded, that it be given the appropriate resources and that it be provided with absolute independence from political interference and from interference by those whose mandate is not to prosecute and to bring people to justice.

In addition to that, I notice that there is not much progress in the implementation of the low smog gas program. It will be coming, but for three years there has been no progress in that regard. You haven't had the Globe and Mail on your back, you haven't had the CBC on your back, you haven't had anybody on your back, and that's unfortunate because that means that it's hard to secure support from cabinet colleagues and from the Premier's office, who are concerned with other things.

I know how hard it's been for you the last few years to get anything through cabinet and through that mess that sits down there that blocks things. Otherwise, you would have reduced the Reid vapour pressure. The low smog gas would be genuinely lower smog gas, such as they have in the New England states at the present time. And don't let the corporations tell you they can't do it, because they can, but you've obviously let them do that.

I notice as well that the Toronto Star wrote an article about the inspection of vehicles and said, "You must set up a program, as the previous government was going to do, to inspect, as they have in British Columbia, the vehicles on an annual basis or biannual basis." Now we

hear some noises that might happen. It's already been done for the lower mainland in British Columbia. There was a time when Ontario led in all those initiatives, and now it has taken a different government to do so. We can do it in Ontario if we want to place the emphasis there.

I know you're very concerned because you're behind in the implementation of your CFC regulations. That must be very disconcerting to the Premier's office. They must be beside themselves, because they would like to present, before this session's out, some knowledge of environmental progress.

I notice that the report that was commissioned by your government on the Niagara Escarpment Commission in fact is going to do in the Niagara Escarpment Commission, and I know the former minister must share my view because she and I have many views we share. Out comes the report, and the report starts to recommend that you reduce the powers of the Niagara Escarpment Commission.

Everyone here remembers Project X, right across the front page of the *Globe and Mail*, CBC call-in shows: Project X. What has happened is that the last government, after a large confrontation between the Minister of the Environment and another ministry, decided not to proceed with that and this government has said: "Well, the Ministry of Municipal Affairs has won out. We're going to streamline the process and everything will be fine." I'm disappointed because I thought this government would hold firm on that.

I notice that the farm land Stephen Lewis talked about with great affection, the farm land which was being lost acres by the day, in fact is still being lost under an NDP government. I was hopeful, because I'd read the *Agenda for People*, because I remember the questions asked in this House, that there'd be some very strong rules and regulations which would ensure that farm land was protected, because I know members on all sides of this House feel that's extremely important.

**1750**

So we have a bill which essentially is a political document. It is a bill in which, as I quoted from another article, the only thing that is similar to the original bill introduced in opposition is the title. It is in fact a well-watered-down bill brought in after three years and after ignoring many of the problems that confront the environment. I only hope that the government will turn its attention to environmental issues which are near and dear to so many of us in this House, including, I'm sure, the previous Environment minister of this government and the present Environment minister.

**Mr Murray J. Elston (Bruce):** On a point of order, I think unanimous consent has been agreed among the three parties to dispense with questions and answers on this and the remaining speeches to be made, and that the member for Etobicoke West have 10 minutes to speak

and five minutes be given after his speech to the Minister of Environment and Energy to wrap up. We actually will be sitting just briefly after 6 o'clock so we can fulfil a commitment to pass this bill this afternoon.

**The Acting Speaker (Mr Noble Villeneuve):** Do we have unanimous consent? Agreed.

**Mr Stockwell:** I appreciate the opportunity to take 10 minutes of the House's time to speak to this issue. As I've suggested in opportunities for two-minute responses to some of the comments made by the government members and others, there is some paradox, some concerns I have about this bill and the fact that it doesn't fit with what the government said its policy on the Environmental Bill of Rights was in opposition.

I have a very difficult time, because I was a member of Metro Toronto council when the bill was introduced with respect to environmental rights and concerns in terms of corporations, and I remember vividly, as the member who was the mayor of East York would recall vividly, about our prosecuting a polluter in Metropolitan Toronto. We prosecuted that polluter on a number of occasions for polluting the water system in Metropolitan Toronto. It got to the point where the owner of that business, under the legislation that was given us by the then Liberal government, in fact had to serve time in jail because he was convicted of chronically polluting the waters in the region of Metropolitan Toronto.

That was a very interesting time. The environmentalists and people outside this august chamber were saying, "This is the kind of tough environmental law that's needed in a place like the province of Ontario to ensure that we treat our citizens in the same way that we would expect the private sector, the government and everyone else to be treated."

So I find it very strange that a government like the NDP, which in opposition pushed for this kind of tough, hard-hitting legislation, should now be before this Legislature offering up an Environmental Bill of Rights for the people of this province and not have that Environmental Bill of Rights apply to them. To me, that is so unbelievable.

**Mr Drummond White (Durham Centre):** To who?

**Mr Stockwell:** To you. To you on landfill site issues; to you in Durham, to you in York and to you in Peel. You believe that people who own private businesses, if they don't live up to the letter of the law, should go to jail, yet you don't believe that your laws that you write should even apply to you and your government and your agencies and your people like the IWA. That to me is unbelievable, and that to me really cuts to the heart of this issue and why I don't believe this can be taken as a serious attempt by any government to deal with the Environmental Bill of Rights.

If they were truly serious, the people in the region of Peel, Vaughan, Durham and Metropolitan Toronto

would truly have an opportunity to do something they've never been able to do under this government, which is to have a full environmental assessment hearing on the megasuperdump sites that are going into their region against their objections.

To me, it is fundamental in any quest for any credibility on this issue that if a government is to pass a piece of legislation, that legislation must apply not only to the private sector, not only to the people of the province, but it must surely apply to them. If it does not apply to them, I ask why. Since this bill has been introduced, I've asked why on a number of occasions and have not heard a reasonable response. All I hear is, "Because we are exempt, because we set up a different policy, a different stream, a different process." I say bunk.

If this is good legislation, if this is fair legislation, it should apply across the board to all citizens in the province of Ontario. Where are the environmental groups that used to be out there during previous administrations, standing up and renouncing governments for doing just this kind of thing? It is very disappointing, but I'm beginning to understand where these environmental groups have gone. They've gone to the public payroll on the Environment ministry's payroll. That's where our private citizens have gone who used to stand up and rail against this kind of legislation. They can't rail any more because they've been co-opted by a paycheque.

These are the kinds of things the citizens are saying to me. And I see them, I see them across the province. You ask the minister. We know they are. We don't hear from them any more, and that is concerning; not to me, but it should concern the minister as well.

**Hon Mr Philip:** Tell us who has invited you in, Chris. Where have you been?

**Mr Stockwell:** Where have I been? I've been here for the last few hours. If you'd like an itinerary, I can certainly supply you with it, but I don't know if right now is the time.

Let me move on. We talk about funding. Where's the money? Nobody's come forward and said \$4.5 million is enough. You know that's not enough, Mr Minister, you know full well it's not enough. You're going to need enough money to implement this kind of broad, wide-ranging legislation, in which two people, two citizens of the province over the age of 18, can practically shut down anything. If two people of reasonable intent can shut down any kind of development, any kind of initiative, then you're going to need more than \$4.5 million. Any decent environmental assessment on any small project alone would cost more than \$4.5 million. On any development that took place in Metropolitan Toronto in the past 10 years, it alone would cost \$4.5 million. You know, Mr Speaker, as I know, as the Liberals know and as the NDP know, that \$4.5 million

is not nearly enough to staff this kind of comprehensive bill of rights, an act respecting the environment of Ontario.

Finally, in the short time I have to speak, we know why this bill is before us. We know why this bill is underfunded. We know why this was brought forward at this time, three years after you promised it.

**Mr White:** Why?

**Mr Stockwell:** To enlighten the member from Durham, which I'm very happy to do and which I do on a number of occasions: Why? Because it's a veiled attempt by this government to try and fulfil a campaign promise with something that doesn't even begin to address the issue.

I ask the minister to go back to those heady days in opposition when any promise was easily made, any demand was easily met. From those heady days in opposition, read your legislation the minister from Etobicoke-Lakeshore brought forward. Read her environmental bill of rights then and compare it to this today. The comparison is laughable. The arguments aren't even worth making. What we see before us today is a painful imitation of what you offered up in opposition.

This will allow them to go back to the people in 1995, hopefully double their poll results from say 8% to 16%, and say: "We dealt with the issues in Ontario. We brought in a watered-down, milquetoast Environmental Bill of Rights that applied to everybody but us, and we put superdumps around Metro, and we did all kinds of things we said we were going to do." But in reality, it didn't qualify.

**1800**

Now the minister's moved over here. He wanted my itinerary earlier. There's big head Philip.

We move on. We go to the final conclusion, the final analysis of this report. The final analysis is that the people of Ontario will decide whether this is truly an Environmental Bill of Rights. The environmental groups will decide whether this is truly an Environmental Bill of Rights. I would suggest to you, once they understand that the \$4.5 million will not go very far, once they understand that this does not apply to the government and any of the megaprojects you could put within the province of Ontario, and once they understand that it doesn't carry the same weight that you promised to carry in the campaign of 1990, this will be seen for what it is: a cheap, partisan, political trick to try to score points at the expense of the taxpayers.

**The Acting Speaker:** By unanimous consent previously, the honourable Minister of Environment and Energy is to wrap up.

**Hon Mr Wildman:** I appreciate the accommodation the members have made. I want to thank all members of the House who have participated in this debate for their

presentations. While I was not here for all of them, I was kept apprised of it by my parliamentary assistant, who was here for the debate. I want to also say that I'm pleased that all parties are prepared to support this legislation in principle at second reading, and I'm looking forward to the passage at second reading.

I've tried to listen very carefully to some of the concerns that have been raised, and I've listened particularly carefully to the member for St Catharines and the member for Etobicoke West, although it was difficult. A lot of people, even including the member for St Catharines, talked about the possibility of increased bureaucracy and concern that this was a new bureaucracy, a new layer of approvals process, appeals process that would delay and make development more and more difficult. A lot of members talked about costs, the projected costs, and expressed concern that this was going to take resources away from other possible projects and so on, even from environmental protection, in the words of the member for St Catharines.

I want to make clear that at the same time members of this House got up, including even the last speaker, who must be a born-again environmental crusader, and said that this legislation isn't tough enough, that it doesn't go far enough to protect the environment, doesn't go far enough to require corporations and government to comply with environmental protection. Well, you can't have it both ways. You can't say on the one hand, "We don't want a lot of bureaucracy, we don't want a lot of spending, we won't want additional layers of approvals and appeals," and on the other hand say: "Look, you aren't going far enough. This isn't effective enough. You need more power. You need more investigators. You need more avenues for appeal." You can't have it both ways.

The point of this legislation is that it is based on the work of my colleague the former minister when she was in opposition and when she was Minister of the Environment, but it isn't based only on the work she did, which was so important. A number of members in this debate have raised concerns about the fact that there has been delay, that we didn't introduce this legislation immediately on election, that the member for Etobicoke-Lakeshore did not properly move immediately after being appointed and bring in this legislation. The fact is, what she did is that she went out there and consulted widely with members of the environmental community, with members of the business community, and she set up a task force that involved government people, environmental representatives and representatives of the business community.

I know that the members, including the member for Etobicoke West, who is railing about the fact that we didn't introduce it immediately, if we had, would have been in this House railing about the fact that we hadn't consulted with the business community. You can't have

it both ways. The member has a very interesting approach. He says, "We don't agree with what you said you were going to do, but if you don't do exactly what you said you were going to do, we'll criticize you." That's a strange approach: "We'll criticize you because of what you said you're going to do, but if you do it we'll criticize you as well, and if you don't do it we'll also criticize you."

You understand over there that opposition must criticize, but in 15 years in serving in this Legislature the member for Etobicoke-Lakeshore proved that she would criticize constructively, and she put forward ideas. She brought forward this legislation. She brought the public to a consensus, a consensus of the labour people, the environmental people and the business people who would support the Environmental Bill of Rights, an achievement that not one of those people over there could ever achieve because all they ever do is criticize. They don't bring forward constructive views.

The fact is that we are going to move very carefully to institute this. The Ministry of Environment and Energy will comply within the first year, and the experience of that ministry will assist other ministries in cutting costs and ensuring that we can indeed have statements of environmental values that can be judged by the Environmental Commissioner and that will show the way.

The fact is that people support this. We will make it work. I support this. My colleagues support this. I appreciate the fact that despite their overcriticisms, in their hearts the members of the opposition also support this.

**The Acting Speaker:** Thank you. The time has run out.

**Mrs Marland:** On a point of order, Mr Speaker: I wasn't in the House earlier when I might have had the opportunity to welcome the member for Niagara Falls as another female Speaker of this House. I feel that the appointment of, by name, Margaret Harrington, the member for Niagara Falls, is a wonderful decision and selection to that very important position as a Speaker in the chair. I would like to congratulate her on behalf of all of us in the House and look forward to her being in that very responsible role for all of us.

**Ms Harrington:** I would like to thank all members of the House. I certainly will strive to live up to everyone's expectations.

**The Acting Speaker:** Second reading is now complete. The Minister of Environment and Energy has moved second reading of Bill 26. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

I declare the motion carried.

Shall the bill be ordered for third reading?

**Hon Mr Wildman:** The general government committee.

**The Acting Speaker:** The general government committee is where the bill shall go.

#### BUSINESS OF THE HOUSE

**Hon Brian A. Charlton (Government House Leader):** Pursuant to standing order 55, I would like to indicate the business of the House for the week of October 4.

On Monday, October 4, and Tuesday, October 5, we will give second reading consideration to Bill 80, An Act to amend the Labour Relations Act, with respect to construction trade unions.

On Wednesday, we will give third reading to Bill 42, stable funding, followed by third reading of Bill 7, municipal waste management.

On Thursday, October 7, during private members' public business, we will consider ballot item number 25, second reading of Bill 92, standing in the name of Mrs Mathyssen; and ballot item number 26, second reading of Bill 44, standing in the name of Mr Morin.

On Thursday afternoon, if needed, we will continue second reading consideration of Bill 80 and third reading consideration of Bill 7.

**The Acting Speaker (Mr Noble Villeneuve):** Thank you. It now being past 6 of the clock, this House stands adjourned until Monday, October 4, at 1:30 pm.

The House adjourned at 1810.



## CONTENTS

Thursday 30 September 1993

<b>MEMBERS' STATEMENTS</b>	
<b>Laboratory services</b>	
Mrs Caplan .....	3149
<b>Senior citizens</b>	
Mr Jackson .....	3149
<b>Translators and interpreters</b>	
Mr Marchese .....	3149
<b>Earthquake in India</b>	
Mr Phillips .....	3150
<b>Cormorant population</b>	
Mr Jordan .....	3150
<b>Celso Barichello</b>	
Mr Dadamo .....	3150
<b>Minor hockey</b>	
Mr Bradley .....	3150
<b>Ferry service fees</b>	
Mr Villeneuve .....	3151
<b>Balls Falls Thanksgiving events</b>	
Mr Hansen .....	3151
 <b>STATEMENTS BY THE MINISTRY AND RESPONSES</b>	
<b>International trade</b>	
Ms Churley .....	3151
Mr Cordiano .....	3152
Mr Eves .....	3153
 <b>ORAL QUESTIONS</b>	
<b>Tobacco smuggling</b>	
Mr Conway .....	3153, 3154
Mr Laughren .....	3153, 3155
Mr Christopherson .....	3155
 <b>CASINO GAMBLING</b>	
Mr Eves .....	3156
Ms Churley .....	3156
<b>TAX REVENUES</b>	
Mr Phillips .....	3158
Mr Laughren .....	3158
<b>INMATES' ALLOWANCES</b>	
Mr Runciman .....	3159
Mr Christopherson .....	3159
<b>TEACHERS' DISPUTE</b>	
Mr Huget .....	3160
Mr Cooke .....	3160
<b>Retail sales tax</b>	
Mr McGuinty .....	3161
Mr Laughren .....	3161
<b>PROTECTION OF IN-CARE RESIDENTS</b>	
Mr Jackson .....	3162
Mr Silipo .....	3162
 <b>MOTIONS</b>	
<b>Private members' public business</b>	
Mr Charlton .....	3163
 <b>PETITIONS</b>	
<b>Casino gambling</b>	
Mr Curling .....	3163
Mr Bradley .....	3163
Mr Ruprecht .....	3164
Mr Callahan .....	3164
<b>Retail sales tax</b>	
Mr Runciman .....	3163
 <b>PICKERING AIRPORT LAND</b>	
Mr Wiseman .....	3163
Mr O'Connor .....	3164
<b>FERRY SERVICE FEES</b>	
Mr Paul R. Johnson .....	3164
<b>ONTARIO FILM REVIEW BOARD</b>	
Mrs Marland .....	3165
 <b>SECOND READINGS</b>	
<b>Environmental Bill of Rights, 1993,</b>	
<i>Bill 26, Mr Wildman</i>	
Mr Arnott .....	3165, 3167
Mr Wildman .....	3190
Mr O'Connor .....	3166
Mrs Marland .....	3166
Mr Tilson .....	3167, 3177
Mr Paul R. Johnson .....	3168, 3173
Mr Stockwell .....	3172, 3178, 3183, 3189
Mr Sorbara .....	3173, 3178
Ms Harrington .....	3177
Mr Callahan .....	3178
Mr David Johnson .....	3179, 3184
Mr Cousins .....	3183
Mr Bradley .....	3184
Mr Elston .....	3189
 <b>OTHER BUSINESS</b>	
<b>Corrections</b>	
Mrs Marland .....	3165
Mr Wildman .....	3165
<b>Business of the House</b>	
Mr Charlton .....	3192

## TABLE DES MATIÈRES

Jeudi 30 septembre 1993

### DÉCLARATIONS DES DÉPUTÉS

#### Traducteurs et interprètes

M. Marchese .....

### DEUXIÈME LECTURE

#### Charte des droits environnementaux de 1993, projet de loi 26,

M. Wildman .....

CIRCUIT  
XI  
-D23

No. 63



Nº 63

ISSN 1180-2987

## Legislative Assembly of Ontario

Third Session, 35th Parliament

## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Monday 4 October 1993

# Journal des débats (Hansard)

Lundi 4 octobre 1993

Speaker  
Honourable David Warner

Président  
L'honorable David Warner

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



### **Hansard on your computer**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. Sent as part of the television signal on the Ontario parliamentary channel, they are received by a special decoder and converted into data that your PC can store. Using any DOS-based word processing program, you can retrieve the documents and search, print or save them. By using specific fonts and point sizes, you can replicate the formally printed version. For a brochure describing the service, call 416-325-3942.

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

### **Subscriptions**

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Lists of members**

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month. A list arranged by riding and including ministerial responsibilities appears on subsequent Mondays.

### **Le Journal des débats sur votre ordinateur**

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Ces documents, télédiffusés par la Chaîne parlementaire de l'Ontario, sont captés par un décodeur particulier et convertis en données que votre ordinateur pourra stocker. En vous servant de n'importe quel logiciel de traitement de texte basé sur le système d'exploitation à disque (DOS), vous pourrez récupérer les documents et y faire une recherche de mots, les imprimer ou les sauvegarder. L'utilisation de fontes et points de caractères convenables vous permettra reproduire la version imprimée officielle. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

### **Renseignements sur l'Index**

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

### **Abonnements**

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.

### **Listes des député(e)s**

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et dans le numéro du premier lundi de chaque mois. Par contre, une liste des circonscriptions inscrites dans un ordre alphabétique et comprenant les responsabilités ministérielles paraît tous les lundis suivants.

Monday 4 October 1993

The House met at 1330.

Prayers.

#### MEMBERS' STATEMENTS

##### AIDS AWARENESS WEEK

**Mr Tim Murphy (St George-St David):** I rise today to speak about AIDS Awareness Week. As you may know, this affects thousands in Ontario and millions across the world and has touched, unfortunately, many people in the riding of St George-St David.

I'm wearing this red ribbon today, which is both a memorial to those who have been afflicted by the disease and a symbol of hope that we may one day have a cure. I encourage other members in the House and the public at large to wear this ribbon this week, from October 4 to October 10, to raise the awareness of AIDS and raise the awareness of the need for a cure.

In honour of this week, many community organizations in my riding and in other areas will be holding events. Casey House, in my riding, did on Sunday, and the PWA Foundation Toronto, 519 Community Centre and many other organizations are working towards an awareness of AIDS and a cure and to help the people who have HIV or AIDS.

One of them is the AIDS walk called From All Walks of Life. This is happening on October 17, in a few short days. I encourage members to participate in the walk. If they cannot participate in the walk, I am participating, and I hope the members will at least vicariously participate by pledging their support to me; I'd be glad to accept their support. I look forward to their participation, either monetarily or in actuality.

##### DES ROWLAND

**Mrs Margaret Marland (Mississauga South):** On behalf of the residents of Peel region, I want to express our heartfelt thanks and appreciation to Superintendent Des Rowland of the Peel Regional Police Service, who is retiring after a brilliant 38-year career.

Like his ex-colleague, the late Superintendent Bert Collins, Des Rowland is one reason the Peel regional police is one of the finest police forces in Canada. They were both compassionate and understanding gentlemen.

Superintendent Rowland's record of accomplishments is remarkable. During his 31 years with Peel regional police, he has been the officer in charge of communications, homicide, morality, fraud and auto theft. A superb investigator, Des Rowland achieved a 100% arrest rate in the 55 homicide cases he solved.

His retirement will leave a very big void in the force. Those who work with Superintendent Rowland know him as a cop's cop. He always has an open door and an unfailing willingness to help others. He is also a great motivator.

One of the crowning achievements of Des Rowland's career was the Law Enforcement Handbook, which he co-wrote with James Bailey in 1983. The first Canadian police handbook, it is still used in police colleges across North America.

Those of us who have been fortunate enough to know Des Rowland personally can't help marvelling how he has accomplished so much and yet remains so humble. I wish him health, happiness and success as he pursues new challenges in the private sector. I think we have superb police officers in Peel, and I know they will all miss Des Rowland very much.

##### VIOLENCE AGAINST WOMEN

**Mr Larry O'Connor (Durham-York):** Two weeks ago I attended a workshop on Georgina Island in my riding. The purpose of this workshop was to develop a local protocol for handling cases of domestic abuse between York regional police, Durham regional police, the Ontario Provincial Police and residents being served by the women's shelter of Georgina.

At the beginning of the workshop, all the participants took part in the sweetgrass ceremony, a native spiritual ceremony in which we gave our commitment to open communication and understanding.

In 1990, 38% of all Ontario homicide victims were women. They were killed 98% of the time by their male partners. Approximately once every week, somewhere in Ontario another woman dies at the hands of her partner. Police officers frequently are involved in the cases as "domestics" before the event which finally results in the woman's death.

These workshops are an attempt to build up a dialogue and work towards a protocol on action between the women's shelter and the police. I want to take this opportunity to thank the organizations involved: advocates and board members from the Sandgate women's shelter; the provincial victim assistance training coordinator from the community initiatives unit of the Ministry of the Solicitor General and Correctional Services; York regional, Durham regional and the Ontario Provincial Police; the Georgina police; Georgina legal aid; the native band councillors on the island; probation and parole officers; Yellow Brick House counsellors; native counsellors and native addictions counsellors. I appreciate the contributions they have made.

I am hosting the next one and I look forward to bringing a report to this House at some time in the future.

##### GRANDVIEW TRAINING SCHOOL FOR GIRLS

**Mrs Yvonne O'Neill (Ottawa-Rideau):** I bring to the attention of the House the Grandview survivors. Last

Thursday afternoon, the survivors of Grandview held another very moving rally on the steps of this Legislature. One after another, they spoke in truth, often with deep emotion, about the physical, mental, psychological and sexual abuse they suffered at the hands of the staff and officials at Grandview, a place they tell us they thought, and had every reason to believe, would provide them protection and education. Instead, they received pain and hurt.

Many of these young girls were forced to endure long periods of solitary confinement in the "hellhole," where even the most basic of human necessities, as they described them on Thursday, were denied. They were often punished for acts that were in no way criminal. With the help of the survivors support group and independent counselling, some of these young women are now able to articulate their suffering and, yes indeed, their anger that their childhood was stolen.

It's too late for some survivors, for they have already died, but each and every remaining Grandview girl must be given access to compensation, education and therapy, must be given every chance to get her life back in order. These women have a right to have their hurt healed.

#### APPRECIATION OF POLICE

**Mr Robert W. Runciman (Leeds-Grenville):** I rise in the House today to pay tribute to the bravery and quick thinking of an Ontario Provincial Police constable from the small detachment of Prescott located in my riding of Leeds-Grenville. Constable Rob Hill was on regular patrol August 17 on Highway 401 when he approached a man in a minor car accident. He made the routine request to see the man's driver's licence. Instead, Constable Hill had a loaded .38 calibre revolver jabbed into his ribs.

The gunman looked Constable Hill in the eye, cocked the hammer and said, "Try this on for size." Instinctively, the 15-year veteran knocked the man's gun away with his fist, tripped him to the ground and handcuffed him. Although it sounds like a Chuck Norris movie, this was a real life-and-death drama, and Constable Hill acted bravely, without hesitation, and with the confidence born of years of training and experience.

Nevertheless, he is lucky to be alive today. The constable's gunman is alleged to have stolen a car from his lawyer after breaking parole for a seven-year prison term. He's also wanted for three armed bank robberies.

Rob Hill is an example of the kind of courageous, well-trained men and women who serve on police forces across the province. Constable Hill, on behalf I'm sure of all members of the Legislature, I commend you for your bravery, your dedication and for a job well done.

1340

#### WOODSTOCK GENERAL HOSPITAL

**Mr Kimble Sutherland (Oxford):** I'd like to take

this opportunity to congratulate the staff and administration of the Woodstock General Hospital for working together to cut costs. Hospital staff proved just how important employee input can be to the success of an organization.

The hospital has translated employee and patient suggestions into significant savings and improved service. During the past 18 months, hospital administrators have implemented almost half of the 460 suggestions submitted to help boost efficiency and effectiveness. These recommendations vary widely, from improved delivery of food and laboratory services to older patients, to a savings of \$70,000 over the next five years through the upgrading and modernization of the hospital's computer system.

Earlier this year, the government of Ontario participated in the social contract negotiations to save \$2 billion in public spending, to be achieved partially through savings proposals submitted by public servants. In some sectors, employers and administrators balked at the idea of allowing employees' input on day-to-day operations. Perhaps they should take a look at Woodstock General Hospital's positive results.

More than half of the suggestions submitted by employees and patients have actually been implemented. Some were put in place as suggested, some were altered slightly and others are still in the process of being put into effect. It highlights the benefits that stand to be gained from working together as a team, from listening to the front-line workers. In the case of Woodstock General Hospital, they saved money, an important factor in these tough economic times, but just as importantly, they improved their patient health care delivery.

In closing, I would like to congratulate Woodstock General Hospital's staff, patients and administrators for a job well done.

#### TOBACCO SMUGGLING

**Mr John C. Cleary (Cornwall):** I rise today to give the House more information about the danger that exists in my riding due to the smuggling of cigarettes.

The Canadian Coast Guard issued a warning to pleasure boat operators in the area, advising people to stay off the water from sunset to sunrise, since: "The situation is considered dangerous. Caution must be exercised."

Unidentified motor boats travelling at high speeds without lights are common, and warning shots from automatic weapons can be heard every night. In addition, the volunteer search and rescue team announced in August that it would no longer carry out night patrols on the river, saying it was too risky.

Last week, the Solicitor General said that the Lancaster detachment of the OPP would remain open 24 hours a day. However, immediately following the announcement in the House, police officers informed me

that no new resources or officers had been allocated.

In 1989, the OPP at Lancaster had a total of 27 officers with 15 on the road. Now that smuggling is on the rise, the OPP has 10 fewer officers, with 17 total and 11 on the road.

I urge the Solicitor General to convene a follow-up meeting with community leaders and police forces to announce any decisions the task force has agreed on. Minister, my invitation still stands for us to have a meeting in the Cornwall area so that the community can be safe again.

#### WASTE REDUCTION WEEK

**Mr David Tilson (Dufferin-Peel):** I rise in the Legislature today to remind all members that the week of October 5 is Waste Reduction Week in Ontario.

As we continually struggle with what to do with the garbage we produce daily, it is important to keep in mind that the first goal should always be to reduce what we are throwing away. To our credit, society has been changing and improving. We are more aware of how our habits affect our community and the future of our children.

During Waste Reduction Week, I also have a good-news story to share with the members of the Legislature: The city of Brampton has just announced that it is expanding its blue box program to include all plastic bottles, jugs and containers, juice boxes, polyester and foam, corrugated cardboard, pizza boxes, magazines, phone books and plastic bags. This is a courageous step at a time when this NDP government has announced it is not funding the blue box program to municipalities to the same degree as past governments. I would like to congratulate the city of Brampton for this move and encourage all residents to take advantage of the expanded services available to them.

Perhaps if this government encouraged involvement in waste reduction programs instead of simply ordering municipalities to do things by legislation and without giving them the needed resources, we could easily achieve the goal of 50% less garbage to landfill sites by the year 2000.

I would encourage all of us to take a look at our offices and homes to ensure that we are part of the solution, that we are taking advantage of all waste reduction programs available to us. If we are not part of the solution, we are part of the problem, and we're leaving for our children a problem we created.

#### AIDS AWARENESS WEEK

**Mr Rosario Marchese (Fort York):** I would like to draw the attention of the House to the fact that this is AIDS Awareness Week across Canada. AIDS Awareness Week is co-sponsored by Health and Welfare Canada, the Canadian AIDS Society, the Canadian Public Health Association and the Canadian Hemophilia Society.

The purpose of the week is to raise awareness about AIDS throughout the community and particularly among young people. This year, the theme of AIDS Awareness Week is "strong lives, strong communities." Local AIDS organizations and boards of health across Ontario will be holding a number of special events throughout the week.

I would like to ask all members of the House to demonstrate their support for AIDS awareness by wearing a red ribbon, which has been used for a number of years to symbolize awareness of HIV and AIDS issues. The ribbon also indicates support for those who are living with the disease and serves as a reminder of those who have died.

I hope all members will join with me in this worthwhile recognition and join me for Toronto's fourth annual walk for AIDS to benefit AIDS care, education and research on Sunday, October 17, in my riding.

#### ORAL QUESTIONS

**Mrs Lyn McLeod (Leader of the Opposition):** Mr Speaker, it really is difficult to begin question period in the absence of both the Premier and the Deputy Premier, who we understood was to be present for the beginning of question period. Can we determine whether or not he is about to arrive?

**The Speaker (Hon David Warner):** I understand the concern of the honourable leader of the official opposition. Can the government House leader be of any assistance here?

**Hon Brian A. Charlton (Government House Leader):** It is my understanding that the Minister of Finance was going to be here, and we're just checking now.

**The Speaker:** Would the leader wish to stand down her first two questions?

**Mrs McLeod:** No, Mr Speaker. In the absence of both the Premier and the Deputy Premier, I'll put my first question—

**Mr Murray J. Elston (Bruce):** On a point of order, Mr Speaker: Since we had to inquire about the whereabouts of those ministers, could we start question period again, please, the time?

**The Speaker:** No problem. Reset the clock, please, at 60 minutes. I invite the Leader of the Opposition to place her question.

#### AMBULANCE SERVICES

**Mrs Lyn McLeod (Leader of the Opposition):** Thank you, Mr Speaker. Since I would prefer not to have to stand down my question, I will place my second question to the Minister of Health and hope that the Deputy Premier and Minister of Finance arrives in time for my second question.

Last Tuesday, the Minister of Health as much as told us here in this House that the government would desig-

nate ambulance services as critical functions under the social contract. The minister said, in fact, and we have Hansard to record her statement, that the issue would be resolved very shortly and that the regulations that the government was to bring out would indicate exactly how ambulance operators could implement the social contract.

On Friday, we had the regulations. The government released the regulation which states that it is now up to the employer to decide whether employees should be designated as a critical function. This government has simply washed its hands of the whole issue and this minister has now left ambulance operators holding the financial bag.

If the employers designate their services as critical functions under that social contract the employers are now going to have to pick up the added costs. Minister, it was your government that brought in the whole principle of critical functions to protect emergency services under the social contract, and I ask you: Why has your government now abandoned its responsibilities and left the employers to deal with your mess?

**Hon Ruth Grier (Minister of Health):** Quite contrary to the premise and the hyperbole of the Leader of the Opposition's question, the regulations under the social contract clearly specify the capacity to identify critical functions. We certainly within the ambulance sector intend, in our ongoing discussions with the operators and the people who provide those services, to work with them to enable them, as I've said from the beginning, to implement the social contract in a way that protects critical functions. That's the intent; that's what we will be doing.

1350

**Mrs McLeod:** This is too serious an issue to simply play games with. The regulation says, as clearly as the printed word, "if in the opinion of the employer" it is to be a critical function. Minister, there can be only one interpretation of that by employers across this province, and that is that they are going to be left to pay for the costs that your social contract legislation imposes if they designate their employees as critical functions.

Minister, this is just such a serious situation; I ask you to deal with the realities. Last April, you guaranteed that no health services would suffer as a result of the social contract. In August, you started cutting back the funding to the ambulances. We are already seeing cutbacks in ambulance services. You are surely aware that Metro Toronto's afternoon ambulance service is scheduled to be reduced by 33% to make up for its funding cuts. That means, quite simply, fewer ambulances on the road and slower response times. In the words of their operations director, this is now like a high-wire act with no net.

Minister, you have now created a lose-lose situation. You've cut the funding, and under your regulations

there is no guarantee that you are prepared to pick up the costs of critical services. I ask you, what choice do ambulance operators now have except to cut their services? What do you think they should be doing?

**Hon Mrs Grier:** I hope the member is not implying that ambulance owners and operators do not consider themselves critical functions. Certainly, in the discussions we've had with them over the last two months they have been saying: "We are a critical function. We need a regulation that specifies there can be a critical function and the social contract implemented in that way." That is precisely what we have done.

With respect to the funding, I'm sure the Leader of the Opposition is well aware that we have reallocated \$6 million in one-time funding to ambulance service operators to in fact lessen the impact of expenditure reduction targets. That's what we've done to maintain the critical function, and that's the way in which we anticipate the social contract will be worked out between ourselves and the operators as we work through the implications of the regulation.

**Mrs McLeod:** Listen to what this minister has just said. She said there can be critical services. Of course there can be critical services. Surely there are critical services, and surely you and your government have a responsibility to make sure that those critical services are provided in this province. It is not just ambulance services that are going to be affected, even though my question is directed towards the Minister of Health. Surely you would see that police services are critical services. Surely fire services across this province are critical functions. They are all going to be affected by this completely irresponsible non-decision.

Minister, your responsibility is to ensure that needed health care is available. We are already seeing what's happening to ambulance services. I ask you, what is now going to happen in hospital emergency rooms across the province? What's going to happen in homes for the aged? What's going to happen in intensive care units? What are you now going to do to ensure that people in this province have needed emergency care when they need it?

**Hon Mrs Grier:** What we have done and what we are doing is acknowledging, recognizing, taking it as a given that within a number of sectors there are critical functions. So under the legislation that imposes the social contract—

*Interjections.*

**The Speaker:** Order. The member for York Centre, please come to order.

**Hon Mrs Grier:** —we have passed a regulation that defines "critical functions" in terms of the—

*Interjections.*

**The Speaker:** Would the Minister of Health take her seat. Minister.

**Hon Mrs Grier:** I was merely pointing out to the Leader of the Opposition that yes, of course we recognize there are critical functions within a number of sectors under the social contract, and that's precisely why we passed a regulation identifying that and allowing for discussions as to how the impact of the social contract will be absorbed to take place within that context.

**Mrs McLeod:** This minister could provide the reassurance that's needed simply by saying, "We will accept responsibility for picking up all the added costs of services designated as critical."

#### FOOD BANKS

**Mrs Lyn McLeod (Leader of the Opposition):** I will direct my second question on another critical issue to the Minister of Finance and Deputy Premier. You can have a preamble by looking at the bag which I'm sure is all too familiar to all of us. You will recognize it as the bag which will be distributed in Metropolitan Toronto this week to launch the food drive of the Daily Bread Food Bank.

We can only hope that their food drive is going to be successful this year, because the Daily Bread Food Bank has had the worst summer that it has ever had.

I think all of us had hoped that maybe this would be the year when the numbers of families that use food banks would actually be fewer, when there would be more people working in this province and when there would be fewer families this winter that are going to be facing unemployment and hunger. We had hoped that after three years of recession, things would start to be better, and in fact things are worse. We've talked about the statistics before: 10,000 fewer people working in the province this fall than there were last spring, the fact that we continue to see that 350 jobs have been lost every working day since your government took office.

It is only when Ontario gets back to work that we will see a decline in the use of food banks, and yet there is absolutely nothing in your legislative agenda for this fall, nothing in fact in your three-year plan, that is directed at economic recovery. When the number of people using food banks has risen by 40% in the last three years, I ask you, how can you focus on anything except jobs and economic recovery? What do you have to offer to all these people who are going to be depending on the success of this weekend's food drive just to get through another winter?

**Hon Floyd Laughren (Minister of Finance):** Mr Speaker, in view of the fact that you allowed the leader of the official opposition to deal with the Minister of Health in her preamble, I assume that you'll allow me to do the same thing.

I would remind the leader of the official opposition that when her government was in office, the cost of health care in this province, partly when the Conserva-

tives were in office too, increased by an average rate of 11% a year all during the 1980s, and the Ontario drug benefit program increased at an average rate of 18% a year, each year over the previous year.

So if the leader of the official opposition thinks that it's business as usual out there, with unlimited program spending on anything that everybody wants, she is sadly mistaken. That day is long, long gone. This government has had the courage to tackle those very difficult issues while you simply swept them under the rug. That's all you did and that's all you ever intended to do, and when you called the election early, even then you didn't have the courage to bring forth the truth about Ontario's fiscal situation, and those are the facts.

**Mrs McLeod:** I tried to make this question real to the Treasurer by showing him a bag that's all about a food drive this weekend. The other thing I have in my hand is the government's legislative priorities, and I would suggest that there is absolutely nothing in this list of legislative priorities that offers any hope to the people who are dependent on the success of this weekend's food drive. I say to this minister that we need to keep putting a human face on the unemployment statistics that we know only too well.

There was a report released last week by the Social Planning Council of Metropolitan Toronto, and that report showed that one in three children in this city is now on welfare. That means that over 140,000 children are dependent on social assistance, and in most cases, those children are on welfare simply because their parents cannot find work.

I say to you again that your policies are only making things worse, that your \$2-billion tax grab alone means 50,000 fewer jobs than we might otherwise have had. I ask you, when are you going to have the courage to honestly examine why 140,000 children in Metropolitan Toronto are on welfare? When will you admit that it is your policies that have created this absolutely intolerable situation?

#### 1400

**Hon Mr Laughren:** I can understand the leader of the official opposition trying to turn food banks into a partisan, political issue. I can understand that very well. But I just want to remind the leader of the official opposition that this government is doing more to create jobs than any other jurisdiction in this country, a lot more than the federal government even pretends to be doing.

#### *Interjections.*

**The Speaker (Hon David Warner):** Order.

**Hon Mr Laughren:** Let me remind the leader of the official opposition, because I think she forgets from time to time, of exactly what this government is doing. We have set up what we call Jobs Ontario Capital, which over a five-year program is going to create \$3.3

billion in strategic capital initiatives. Our base capital spending we've kept up at about \$3.2 billion this year. That's creating real jobs, not make-work jobs but real jobs in the economy.

Jobs Ontario Training is a three-year, \$1.1-billion program that's going to create 100,000 jobs, and it's going to get a lot of people off social assistance—

*Interjections.*

**The Speaker:** Order.

**Hon Mr Laughren:** —and back into the workforce. What we are doing—

*Interjections.*

**The Speaker:** Minister.

**Hon Mr Laughren:** Would you stop wasting question period? I was only halfway through the list of our job creation initiatives. I know the opposition doesn't like to hear what the government is doing to create jobs because that takes away a platform for them in question period. I would simply say to them that no government in this country, faced with the kind of recession we've got, is doing what we're doing to create jobs. But I hasten to add that we can't do it all. Reasonable people out there in the province understand that well. The leader of the official opposition doesn't.

**Mrs McLeod:** If somehow caring about jobs and talking about getting people back to work is something this minister sees as partisan, I wonder what it is he thinks we should be talking about in this place. I'm going to keep talking about people and jobs and children on welfare and I'm going to keep asking this minister and this government to talk about people, instead of reciting lists of programs that are having no effect in getting people back to work at all.

Minister, look at the facts. Unemployment in Metropolitan Toronto has risen to 11.4%, and it was just 5.1% three years ago. That means 106,000 jobs have been lost in Toronto alone over the past three years. That is why more people are using food banks and that is why there are more children on our welfare rolls.

Minister, I ask you again: When will you realize that the way to help these people is to get them working again, when will you admit that your policies are killing jobs and when will you bring forward some policies that will actually help get people in this province back to work?

**Hon Mr Laughren:** Unlike some politicians out there in the land today, I agree that we should be talking about the level of unemployment, that we should be talking about food banks and that we should be talking about the level of people on social assistance rolls. Those are important issues that are facing us today. I can tell you that no government is more concerned about it than we are and is trying to do as much as we are trying to do.

If the leader of the official opposition is saying, "Throw out these programs, they're not working," if she's saying, "Throw out your base capital program, throw out your Jobs Ontario Capital program, throw out your training program, throw out your homes programs," I'm telling her that it seems as though when we put in place serious job creation programs, the official opposition says: "Throw them out. No matter what they are, no matter how good they are, throw them out. We've got a better idea." The only trouble is their ideas never come forward. They never have any ideas of their own. They simply criticize whatever the government's doing.

#### VIOLENCE IN SCHOOLS

**Mr Michael D. Harris (Nipissing):** My question is to the Minister of Education and Training. A recent survey found that eight out of ten senior public school students reported having been exposed to acts of violence in school. Last Tuesday, I asked the Premier to comment on these shocking statistics, and quite frankly, I thought and I think that all those who were in the chamber would have found his answer rather flippant. The next day, last Wednesday, a 15-year-old female student was held at knife-point in her classroom in Scarborough.

Minister, you have a very expensive royal commission, an education commission, running around this province whose mandate doesn't even include, anywhere in the mandate, the issue of violence in our schools, violence in the classroom, the increasing incidence we are finding. Can you tell us why not?

**Hon David S. Cooke (Minister of Education and Training):** First of all, I don't think it would be fair to suggest that the terms of reference for the royal commission exclude any possibility of dealing with this issue during the royal commission hearings. The referral did not specifically list every subject they were to talk about. In fact, I remember questions from the Conservative critic when the terms of reference were released, saying that they were too general and that the commission was going to be allowed to talk about virtually everything in education. So there's nothing that prevents them from doing that.

I want to indicate to the leader of the third party that in the specific case he has referred to, as I hope he is aware, charges have now been laid and we wouldn't want to discuss that specific case. But I can tell you that this morning, when I went into the ministry, I indicated to the ministry that I want correspondence sent to all boards of education today indicating that when there are alleged acts of violence, they are to be treated in a way that the police should be called in immediately.

I want him to also know that, as I have stated before, I don't think the Ministry of Education has been involved enough in setting policy in this area, and we are working on it with boards, police and teachers in

order to come up with a much more proactive policy on the part of the provincial government and boards of education.

**Mr Harris:** This isn't something that has come as a surprise. We've had these statistics growing, increasing, alarming, and former ministers of Education have just sat there and allowed this to go on. Then you set up a royal commission with no mention of violence in the schools.

I do want to talk about the specific case, but not the one before the courts. The aspect that bothered me was that according to the Toronto Sun, "The 15-year-old girl's mother was most angry because the school originally chose to deal with the matter internally," chose to deal with it internally in that specific case.

Minister, you would know that the police have found that more and more of these incidents now involve weapons. There are significantly more violent incidents than there were even last year, and this incident in Scarborough highlights the situation. Have you called for an investigation into why the police were not called immediately, and if not, why not?

**Hon Mr Cooke:** In fact, yesterday I asked people in the ministry to get on this matter right away, and the information that I have, in contact with the school board and I believe the school, is that the vice-principal took the report from the alleged victim and the alleged victim indicated she did not want the police called until she had a chance to talk to her parents. The parents could not be reached because they were not available and, as a result, the student and the parents—

**Mr Harris:** Do you find that okay?

**Hon Mr Cooke:** Let me finish. The student and the parents spoke that night and the school contacted the family that night.

The member asks if I find that to be all right, and I'm going to tell him no. I think that when an incident like this occurs the police should be called in immediately. This is a criminal matter as well as a problem within our school system with violence. In my view and in the view that we are expressing to school boards today in writing, the police should have been called immediately—that's it.

1410

**Mr Harris:** I wonder if the minister could explain this to me. The Federation of Women Teachers' Associations of Ontario for some number of years now has been telling you the problem is getting worse and worse. They've been telling the ministry; they told the former minister. They have been asking, and have a recommendation before the former minister and you and this government, for mandatory reporting of these incidents for some time.

Can you explain to me why it has taken incidents like this to get your government to move and to insist on

mandatory reporting? Could you just confirm this for me: (1) why it took so long, and (2) is what you're telling me today on your ministerial order that there will be mandatory reporting of all incidents in all schools? Are you telling us that today?

**Hon Mr Cooke:** Several months ago when I was briefed on the secretariat in the ministry that works on violence in the schools, I asked: "What are the statistics? How do we know the level of the problem in our school system?" The answer was: "We don't know. There are not good statistics available."

**Mr Harris:** So you waited until today.

**Hon Mr Cooke:** No, that's not the case.

**Mr Harris:** I'm sorry, not today, Friday.

**The Speaker (Hon David Warner):** Order.

**Hon Mr Cooke:** It's not quite that easy to just say there's going to be a mandatory reporting mechanism, when we're talking about the criminal justice system as well as the Ministry of Education. I instructed the ministry several months ago to develop a plan whereby we get mandatory reports, whether that's through the police or whether that's through the Ministry of Education.

I fundamentally agree with you that it's going to happen, but it's going to happen properly. I'm expecting a report from the ministry by the end of this month, and that means we should be able to make some announcements in November as to initial steps in this whole area, which I agree with you is very important and we, as the provincial government and the Ministry of Education, have got to show leadership and direction for the school boards. What's happening is not acceptable.

**The Speaker:** New question.

**Mr Harris:** That one's solved? Go on to the next? All right.

#### CASINO GAMBLING

**Mr Michael D. Harris (Nipissing):** My second question is to my friend the Minister of Consumer and Commercial Relations. Since January, it has been rumoured in the press that the casino bid for Windsor would be awarded to Harrah's. Last year, the head of your casino project team, Domenic Alfieri, visited Harrah's for New Year's Eve, where he was wined and dined. According to press reports, this was the only casino that your head of the casino project ever visited.

Minister, did you approve of this visit on New Year's Eve, and do you not think that all of these incidents, including this one, place the integrity of the entire selection process now in question?

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** I was aware that Mr Alfieri went to Las Vegas. He went at the expense of the government, at the expense of the project team, and to my knowledge did spend time with other officials from

other casinos. There's absolutely no basis in what the leader of the third party is saying about this process somehow being tainted by this visit. The project team has met, over the course of this whole selection process, with many experts in the field, dozens of experts over that process, not with Harrah's but with many. So try to keep this in perspective. Mr Alfieri has already met with dozens of experts throughout the casino industry.

**Mr Harris:** I'm even more shocked to find out that the taxpayers paid his way on New Year's Eve to Harrah's to visit the casino. Does the auditor know this? You knew this and approved that New Year's Eve was a good time to send the head of your casino project, and that was the only casino he visited?

Secondly, Minister, let me ask you this: The member for Parry Sound suggested that the entire bid process has been tilted in favour of the large casino operators from the outset. He revealed that a briefing provided by one of your chief consultants, Dr Bill Eadington of the University of Nevada, contained three and a half pages of information on Harrah's Casino and less than half a page, and in some cases as little as two lines, on any of the other bidders. That was revealed last week.

Are you aware that in addition to those revelations Dr Eadington, just last year, worked as part of the bid team for Harrah's in another jurisdiction? Were you aware of that when you hired him?

**Hon Ms Churley:** Let me say to the leader of the third party that nobody in the project team hired this man in any way, shape or form. As I said last Thursday—and I believe you weren't in the House then, but for your benefit I'll repeat it again—the project team met with, over the course of the whole selection process, before it actually sat down and started the process, dozens of experts from the casino industry.

Mr Eves didn't point it out on Thursday, and if he had, it might have made a difference. Let me set the record straight here: If he had read directly from the document, he would have seen that it says right on the first page that these were notes from an information meeting that was held with this particular person. These were notes that were taken and, let me repeat again, it was one man's opinion. The selection committee heard from a lot of people and heard a lot of different opinions which it had to sift through.

**Mr Harris:** From everything that we've learned—and it comes out in dribs and drabs because you try to keep everything just as closely contained as you can; you refuse to release any of the bids from the unsuccessful bidders—it would seem the entire selection process stinks. It stinks from the top on down. Last week, a civil servant charged that the best proponent had been rejected for political reasons. Now we learn that some of the consultants you're talking with have worked for the front runner for the Windsor casino.

I would like you to stand in this Legislature today and assure me, assure all of us here, assure the public that you believe that this whole casino selection process is squeaky clean and aboveboard and that there's no reason that you know of, none whatsoever, to stop this process in its tracks today and bring in an independent consultant to give us the straight goods on this. Will you assure us today that you believe it is squeaky clean?

**Interjection:** Things have changed.

**Hon Ms Churley:** As some of my colleagues are saying here, things have changed somewhat since this government came into power. I made it very clear last week, and I'll say it for your benefit again today, that I categorically deny that there has been any political interference in this whole process. In fact, I would go further and say that I believe that what the leader of the third party is doing is extremely irresponsible, because he is going on a memo that was leaked by a non-named person, a totally ridiculous memo that in fact has no basis in fact. I would go so far as to say it's an untruth. There's absolutely no basis in fact in that memo. It's very irresponsible to present that kind of memo as evidence, as though there's something gone wrong with the integrity of this process. It just isn't true. I would ask the leader of the third party to try to be more responsible in those kinds of accusations. I think the people of Windsor and the people of Ontario deserve better than that. This process has received compliments from all over the world and it's been looked at as a model for other jurisdictions to follow. The integrity of the process—

**The Speaker (Hon David Warner):** Will the minister conclude her response, please.

**Hon Ms Churley:** —is that it is a non-partisan, independent process that is working very well. I would ask the leader of the third party to be more careful in the information he's presenting.

1420

## LABOUR LEGISLATION

**Mr Steven W. Mahoney (Mississauga West):** I'm sorry to disturb the Minister of Labour, but I have a question for him. Minister, I understand that you'll be introducing Bill 80 for second reading in the Legislature this afternoon. This is a bill that represents an unprecedented intervention into the affairs of Ontario's construction unions. Prior to Bill 80, if a union wanted to change its constitution and the majority of its members voted for that change, then the rules were simply changed. After Bill 80, government bureaucrats will be able to dictate to the union how it runs its operations. That's what Bill 80 will do.

When this minister came to power, people in the construction unions thought that they would have a friend in office. They're now realizing that they indeed

have an enemy. Minister, instead of getting more work for construction workers, you tinker with labour laws once again. With such strong union opposition to Bill 80, why are you pushing ahead with this ill-advised legislation?

**Hon Bob Mackenzie (Minister of Labour):** I find it interesting, and there are some good, solid answers to the question that's been put by the member across the way. But I ask him why it was that his own leader, the previous Premier of this province, brought in a bill almost identical to this and then wouldn't proceed with it. You talk from across the floor about guts. I think we've got the guts to carry through on what is a progressive piece of legislation.

**Hon Floyd Laughren (Deputy Premier and Minister of Finance):** You have no courage over there.

**Mr Mahoney:** I guess you rehearsed that, did you, over the weekend? You were all set. That's terrific. But let me tell you something: Don't talk to me about why it didn't go through. Talk to the people in the construction industry, talk to the unions, Mr Treasurer. They're the ones. Talk to the Provincial Building and Construction Trades Council of Ontario. This is nonsense and you know it. You're not listening to the very people whom you purport to represent.

Bill 80 has opened up a real can of worms within the construction trades. Ontario locals and their international leadership are upset with each other and particularly with the government. The workers are caught in the middle. If bad blood develops between the unions, it will be the Ontario workers who will wind up paying the price. In an industry where unemployment is far above the provincial average, labour unrest is something the workers can ill afford.

There's a way out of these troubles, Mr Minister. We would ask you to set up a committee made up of both groups of unions, the Ontario locals and their international parents, and the government. See whether the problems that may exist, which you won't even tell us about, within the construction unions can be solved to everyone's satisfaction. This way, instead of dictating a solution that no one finds acceptable, you can negotiate a solution that everyone can support.

**The Speaker (Hon David Warner):** Does the member have a question?

**Mr Mahoney:** As a way of stopping rising unrest in the construction unions surrounding Bill 80, will you withdraw the bill and will you set up a committee comprised of labour unions and the government to identify and resolve outstanding problems—

*Interjections.*

**Mr Mahoney:** —within the construction trade and within those unions? Will you consult with the members of the construction unions in the province of Ontario?

**Hon Mr Mackenzie:** I'm wondering, Mr Speaker, if

you could ask the member across the way to repeat the several questions he asked, because I couldn't hear them for all the shouting over there.

**Mr Mahoney:** Will you consult with the members of the construction unions? That was the question.

**Hon Mr Mackenzie:** I don't know of a piece of legislation other than Bill 40, I guess, on which we have done more consulting over the last several months. We've heard the arguments, we've heard arguments on both sides, and we are making some amendments that deal with some of the arguments that have been raised.

#### HEALTH CARDS

**Mr Jim Wilson (Simcoe West):** My question is for the Minister of Health. Minister, Ontario's health card system has been plagued by fraud since its introduction by the Liberal government in 1990. The red-and-white health cards were issued in an election year and in a hurried fashion, with no regard for whether the people who were actually entitled to publicly funded health care were the only ones receiving the cards.

Members of the Liberal caucus have repeatedly stated that their previous government was committed to establishing verification measures to guard against health card fraud. Minister, I ask you, upon your government coming to office was there any evidence that the former Liberal government had planned to put in place verification measures to limit the fraud in its badly flawed health card system?

**Hon Ruth Grier (Minister of Health):** Let me merely point out to the member that the previous government had been committed to a balanced budget and no deficit and a number of other things which, on becoming government, we found no longer existed.

What I can say to him in terms of the registration of individuals in this province for health cards is that registration began under the previous government in April 1990, to be completed in January 1991. After we became the government in October 1990, we engaged a consultant firm to conduct a post-implementation audit and develop reporting requirements for management of the database; that was completed in April 1991. Then in April 1991 we set up a unit responsible for registration identification. That was expanded, in May 1992, into the registration programs branch. When I became the minister, I prevailed upon my good friend the Minister of Environment and Energy to second to the Ministry of Health an investigator from MOEE's enforcement and investigations branch. They have now set up an investigative unit. We have put in place forensic accountants, as well as a toll-free hotline. The actions that have been taken to deal with misuse of our health cards have all been subsequent to October 1990.

**Mr Jim Wilson:** I appreciate the minister's response. I want to be specific, because in order to solve the problems with the health card system, it's

important that we accurately determine why hundreds of millions of dollars are being stolen from taxpayers' pockets. Last August, while being scrummed by members of the press gallery, the Liberal member for York Centre alleged that the NDP's first budget eliminated several health card enforcement measures which were proposed by the former Liberal government. Minister, concerned taxpayers would like to know what specific Liberal enforcement measures were wiped out by your government's budget in 1991.

**Hon Mrs Grier:** I am not aware of any measures that were wiped out by our budget in 1991. As I indicated in my response to the first question, our government has taken a significant number of steps in order to ensure proper verification, registration and enforcement of the rules with respect to health cards.

#### WATER SUPPLY

**Mr Randy R. Hope (Chatham-Kent):** I would like to direct my question to the Minister of Environment and Energy. As the minister is well aware, there is a Russian roulette system going on in my county: the town of Dresden and surrounding areas have been faced with strict water limitations. Your ministry has been working with our community to find a solution. When can the residents expect fresh pipeline water approval for their drinking?

**Hon Bud Wildman (Minister of Environment and Energy):** I appreciate the question from my colleague on behalf of his constituents. As he will know, proposals were in the works that would involve a number of municipalities, including the town of Wallaceburg, and subsequently Wallaceburg withdrew from the scheme. The ministry subsequently has completed a feasibility study which reviewed alternatives for the town of Dresden and the townships of Sombra, Chatham and Camden. There are three basic alternatives for water supply that have been identified and we are currently in the process of preparing a submission which will be sent to Management Board of Cabinet. As soon as that process is completed, we will be able to report back to the member and to his municipalities on which alternative we will be proceeding with.

**Mr Hope:** On Friday I met with the area communities and talked about the water issue. Will the introduction of the Ontario Clean Water Agency adversely affect the speed at which this critical, important project is put in place?

**Hon Mr Wildman:** The short answer is no. Senior staff are very aware of the urgency of this project and intend to closely track its progress and ensure it proceeds without delay for the member and his constituents.

1430

#### CASINO GAMBLING

**Mr Carman McClelland (Brampton North):** I too

have a question for the Minister of Consumer and Commercial Relations. Earlier this year, I questioned you very directly about the integrity of the process with respect to the selection of the interim site. You stood in your place and said that that was not an issue because it had been handled in an appropriate and clean fashion. You didn't seem to understand at that point that it was not necessarily specifically what you did but the mismanagement of making the selection before the bids were even opened on the interim process.

At that point, I said to you that the integrity of the whole process was in question and that you had lost credibility with respect to the nine proponents. How could they trust or have any confidence in you as minister, who had made a clearly political decision with respect to the interim casino? Whether it was the right decision is really irrelevant, because you interfered with it at the political level and called into question the whole process at that point in time. You've heard questions today from the leader of the third party on that very issue.

I want to talk about another issue of integrity. That's the issue of integrity with respect to what your party stood for and said before you were elected. I want to refer to the minutes that have now become somewhat infamous over the past number of hours.

**The Speaker (Hon David Warner):** Could the member place a question, please.

**Mr McClelland:** "Dr Eadington responded that there is no problem making money, but we will not be able to compete for high rollers. Casinos make money by targeting lower socioeconomic groups, where players lose \$10 to \$20 per individual. The strip casinos in Las Vegas"—

**The Speaker:** Does the member have a question?

**Mr McClelland:** —"target the middle class, but there are downtown casinos that cater to working-class, budget-oriented players. The ability to market needs by casino companies is quite astounding."

Why have you abandoned your principles that you held before and basically said, "We're going after the lower social class economic market and we're going to go after their \$10 and \$20," to make your dollars go into the Treasurer's pocket?

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** First of all, let me make a comment on the member's first statement before he got to his question. Let's go back for a moment to the discussion we had in this House around the selection of the site for the interim casino. You'll recall that I said at that time that we made an agreement with the city of Windsor that we would always allow the city to have a major say in the location for the casino. We made that very clear to the city and we made it very clear to this House. In fact, that is what happened.

I also, if you will recall, said at that time that the selection of the operator is a very, very different process from that site selection. That is why I was determined at the very beginning to set up a very non-political independent selection committee, in this case of five very well-respected deputy ministers whose integrity I don't question at all.

Having said that, in response to your second comment and question, the document to which he is referring—he had a very long question with a lot of comments—he wasn't in the House on Thursday, but let me say quickly that that document was notes from a breakfast meeting which the selection committee and the review panel attended well before the actual selection process started. It was one of many, many people's advice. They took the good and the bad and the ugly. It was their responsibility to get information and sift through it—

**The Speaker:** Could the minister conclude her response, please.

**Hon Ms Churley:** —and use what they needed.

**Mr McClelland:** All I want to say to you is that this whole process has indeed been bad and has been ugly right from day one. The issue here, what you don't seem to understand, is that you can't selectively choose the things that fit your prescribed program and the things that don't. If you're telling me, as you said to the leader of the third party, that this was a totally irrelevant document, you then have to suggest that the whole series of meetings—and you pick and choose which ones were relevant and which ones weren't. That is absolutely absurd.

The question I want to ask too is, if the city had such a major say in the location of the casino, why was it effectively ignored in terms of the operator? Don't stand in your place and tell me that you listened to them, because person for person, the people from the city of Windsor will say that you effectively ignored them when it came to the selection of the operator. I come back to my question: You ignored the city of Windsor and you ignored the fundamental premise of your government and your position prior to election. That was that you would not be going after working-class people and going after their dollars. Now we know from this document exactly what was indicated by members of your caucus—

**The Speaker:** Could the member place a question.

**Mr McClelland:** —that you have targeted the working-class people to draw dollars. You are effectively putting a tax on the poor. That is your marketing strategy and you've done that by ignoring the people of the city of Windsor and their advice and their wishes.

**Hon Ms Churley:** The member opposite seems to want it both ways. In his first question, he said to me, "Gee, you listened to the city of Windsor too much in the site selection." Now in his second question he's

saying, "You're not listening enough to them."

Let me say again that city of Windsor officials have been very involved in this process from day one. In fact, we did listen to them very closely on the site selection. We think it is important to the people of Windsor that they had a big say in that. We said: "The province owns the casino. We'll set the rules and regulations for the casino. It will be our casino. We will have an operator who will run it on our terms, and we have a very rigorous and tough set of criteria developed by this government and the selection panel."

We made it clear to Windsor that it will not have direct input into the selection process, as I will not. I have no access to the selection process, because we want to keep it non-political.

Let me say to the member that the selection committee very recently went to Windsor with the short list of proponents, who did in fact brief the city council and officials on some of their proposals.

#### VITAL SERVICES FOR TENANTS

**Mr David Turnbull (York Mills):** My question is to the Minister of Municipal Affairs. My constituents at 1002 Lawrence Avenue East have been having intolerable living conditions since the fall of last year. This weekend, they took to the streets in protest.

On June 20, I spoke to the Minister of Housing both in this House and also in committee to encourage the minister to bring forward legislation which would allow for vital services bills to be passed in all of the municipalities of this province, similar to the London bill.

I wrote to you, Minister, on August 12, encouraging you to do this, and also to the Minister of Housing and to the Attorney General as well as the mayor of North York. To date, I have received no answer from you as to what you intend to do. Will you tell me now what you intend to do to help my constituents?

**Hon Ed Philip (Minister of Municipal Affairs):** I appreciate a Tory who is actually standing up for tenants. This is the first time since Bill Davis brought in rent control that a Tory has ever done that and not been exclusively on the side of the landlords.

I'll certainly meet with the Minister of Housing and discuss this matter with her.

**Mr Turnbull:** All I heard in that tirade was how bad Tories were. I would remind the minister that the Tories were the people who originally brought in rent control. But I didn't hear the end of the minister's statement, so could he perhaps repeat what he is going to do. That is not my supplementary.

**The Speaker (Hon David Warner):** Would the member just take his seat for a moment. The member for York Mills with his supplementary, please.

**Mr Turnbull:** As I've said, I couldn't hear what the minister said by way of answer, if indeed he gave an answer.

I have prepared a private member's bill along the lines of the London bill which we enacted this year. Clearly, I can bring this in as a private member's bill, and in fact, on November 4 my ballot item comes up and we can debate it. In the meantime, my tenants are going cold. I would ask the minister, would you be prepared to take over my bill and bring it in immediately so that North York can pass a vital services bylaw so that my tenants can be protected this week?

**Hon Mr Philip:** If we hear from North York, if North York would like to meet with us and discuss any legislation which it feels would be helpful, we'd be happy to do that. We're happy to do that with any municipality and in fact we do it on a regular basis.

With regard to the member's preamble to his supplementary, I couldn't quite hear what he was saying because of the noise of his colleagues, but I'm sure that I'll read it. But I did hear him say something: that I hadn't credited the Conservative Party with having brought in rent control. In fact, that was part of my answer, that I said the last progressive thing the Tories had ever stood for in terms of tenants' rights was when they brought in rent control. I might also remind him that the position of the Conservative Party more recently has been to abolish rent control.

1440

#### INTERPROVINCIAL TRADE

**Mr Gilles Bisson (Cochrane South):** My question is to the Minister of industry, trade and technology. Recently, as you know, minister, you made an announcement about Quebec construction workers. The people in my riding, probably as most other people around the Quebec-Ontario border, were very much in support of the position the government took. I too believe the approach we have to take is to find a way to get Quebec to remove its restrictions so we can gain access to its markets the same way it can ours.

But we still have some problems, as you are well aware; namely, in northeastern Ontario, in places like Cochrane South and Cochrane North and Timiskaming, we have a huge problem when it comes to the logging industry. As you'd be aware, there are a number of Quebec contractors operating within the logging industry in that particular part of the province, which is really putting our Ontario contractors in jeopardy, not even to speak about the problems that we're having in transportation.

My question to you, Madam Minister, is simply this: How will your announcement of last week affect those particular industries that are still affected by interprovincial trade barriers in the province of Ontario?

**Hon Frances Lankin (Minister of Economic Development and Trade):** I thank the member for the question. I think he raises an important issue.

Certainly, logging in northeastern Ontario and the

issue of trucking are two other issues which are of immediate and important concern to a large number of Ontarians with respect to Quebec's trade barriers. Those aren't the only issues. There are other issues that we have in dispute with Quebec, and in a number of areas we have to continue negotiations.

The announcement made on Monday was specifically with respect to the construction sector and municipal bus procurement. We moved from an area of multilateral negotiations on a whole wide range of issues. Those negotiations continue—logging and trucking are part of those negotiations—but we moved from there again to a bilateral table on the issue of construction and municipal bus. At that bilateral table and those bilateral negotiations we were unable to make significant progress and, as I have announced, we are now taking further steps. I hope the effect will be to wake Quebec up that we are serious with respect to these issues. We are taking specific retaliatory action in this narrow area. The area of logging and trucking will continue to be under discussion and negotiation at the multilateral tables.

**Mr Bisson:** To be specific, Madam Minister, I'd like to point to a bit of a timetable here. When could the people of Kirkland Lake and Matheson and Iroquois Falls and Cochrane and Kapuskasing and Hearst expect to see some action on these particular issues?

**Hon Ms Lankin:** The timetable that has been set out and has been agreed to by all of the ministers with respect to the multilateral negotiations has us continuing to negotiate over the course of this winter and hopefully to have reached final conclusion on a whole range of issues by June 1994.

I think it's important to say at this point in time that we have taken action to move certain issues to a bilateral table because we hoped we could make more expeditious progress. That hasn't turned out to be the case and we've had to take the next step, which is retaliatory action.

I agree with the member's statement that our overall goal is to bring down trade barriers. We will continue in the spirit of negotiations at the multilateral table to do that, but I say that if progress is not made in these areas and a number of other areas, Ontario will have to continue to be tough with Quebec, and that may mean moving on issues such as logging and trucking as well.

#### CARE OF ALZHEIMER PATIENTS

**Mr James J. Bradley (St Catharines):** I have a question for the Minister of Health. In the Niagara region, and I'm sure this could be said in much of the province of Ontario, those who care for Alzheimer patients are in rather dire straits. They are beside themselves because it is extremely difficult, particularly in the advanced stages of Alzheimer patients, to deal with these people within their homes, and they face long lists to have the people looked after within a specialized nursing home setting.

I ask the Minister of Health, when can the people of the Niagara Peninsula expect that there is going to be adequate and good health care service for Alzheimer patients by providing a sufficient number of beds within nursing homes to serve those people who are so difficult for their own families to serve?

**Hon Ruth Grier (Minister of Health):** I'm well aware of the very special needs of people suffering from Alzheimer disease and the fact that sometimes the accommodation that is generally available in nursing homes is not in fact secure enough or sufficient.

Let me say to the member with respect to those people who are having difficulty looking after relatives at home that one of the elements of the long-term care program and reform that I'm particularly pleased about is the fact that there will be some respite care available so that people who are looking after relatives at home may be able to find some short-term relief on occasion.

With respect to the larger issue and the specific situation in the Niagara region, I'm not in a position to comment on the details, but let me say to the member that I will find out what the situation is with respect to beds for Alzheimer patients in that region and get back to him as soon as I can.

**Mr Bradley:** The Treasurer was making some reference, with some pride, to the amount of money the present government is devoting to health care in this province. We're now beginning to see some of the results of what the Treasurer was talking about in terms of long lineups for those beds for Alzheimer patients.

In addition to that, I ask the minister, in view of the fact that she appears to offer very little hope for those who are looking for that kind of accommodation within a nursing home setting, would the minister reveal to the House why it is that funding for the respite care to which she makes reference is frozen at a time when the list of those needing the respite care is expanding?

**Hon Mrs Grier:** There's a lot in that preamble, but let me say to the member that in my response to his first question, I referred to our reform of the long-term care system, our creation of a long-term care system at the same time as we reform, and to the Treasurer and the rest of the government's generosity in increasing the funds available for long-term care. So contrary to his assumption and assertion, in fact there is more funding going into long-term care now and into the entire continuum of it than ever before, and there will be more over the next four or five years.

With respect to waiting lists for patients suffering from Alzheimer's, let me point out to him that this is not a particularly new situation, that there have always been waiting lists for those. I mentioned in my first answer that these were the kinds of patients for whom it was particularly difficult sometimes to find the most appropriate—

**The Speaker (Hon David Warner):** Would the minister conclude her response, please.

**Hon Mrs Grier:** —and sometimes the kind of care that does in fact have security, because people with Alzheimer's are, on occasion, inclined to wander and need some special provisions and some special care.

**The Speaker:** Could the minister please conclude her response.

**Hon Mrs Grier:** His question focused on the issue of respite care, and I can say to him that yes, it's the first time that there has been funding for respite care, so that is not a cutback; that is a new initiative of our government and one in which I think both his constituents and others—

**The Speaker:** The question's been answered. The minister will take her seat. The member for Etobicoke West.

#### ONTARIO PLACE

**Mr Chris Stockwell (Etobicoke West):** I would like to compliment you on your fine work today, Mr Speaker.

My question is to the Minister of Culture, Tourism and Recreation. I have had, in very recent weeks, some visits from some concerned people regarding the negotiated deal you've made at Ontario Place. Concerns have been brought forward about the fact that you've negotiated a secret deal that has not been publicly tendered, that has been negotiated with one party privately, and in fact the terms and settlement and agreement have not been made public.

The people who've approached me have suggested they would have been very interested in having an opportunity to bid on this particular contractual agreement that you let to MCA and Molson.

My question is twofold: (1) Why was this secretly done and why were there no tender documents put out and why is it that you just had one party you negotiated the settlement with? (2) Why is this contract not open for the public to digest, and how come everything around this has been shrouded in secrecy and no one can know the deal, not just these people but the owners and operators at Ontario Place, the restaurateurs? Many people are concerned about this and they haven't got one single answer from your ministry.

Can you respond to these charges that it's been secretive, behind closed doors and untendered, that possibly a rather sweetheart deal has been cut with people and that there has not been an opportunity for public debate?

**Hon Anne Swarbrick (Minister of Culture, Tourism and Recreation):** There's absolutely nothing secret about this deal. It went through an entirely open process in 1991. In fact, this is the deal that was announced by Peter North, and I believe it was in 1991, and if not, in early 1992, but I'm pretty sure it was in 1991. The

process was done entirely openly.

I think the member of the third party should do his homework. It all happened two years ago. It's an entirely open process that had gone on long before I came into office. All I've been responsible for is to try and help see it through properly to its completion.

The final negotiated terms of this agreement are not absolutely final or you would hear more about it publicly. As soon as they are, I'll be happy to release the final terms because in fact they'll show that the people who stand to gain by this deal are the taxpayers of Ontario.

1450

#### MOTIONS HOUSE Sittings

**Hon Brian A. Charlton (Government House Leader):** I move that when the House adjourns on Thursday, October 21, 1993, it stand adjourned until 1:30 pm on Tuesday, October 26, 1993.

**The Speaker (Hon David Warner):** Is it the pleasure of the House that the motion carry? Carried.

#### PETITIONS GAMBLING

**Mr John C. Cleary (Cornwall):** My petition is to the Legislative Assembly of Ontario and it says:

"Whereas the New Democratic Party government has not consulted with the citizens of the province regarding the expansion of gambling;

"Whereas families are made more emotionally and economically vulnerable by operations of various gaming and gambling ventures;

"Whereas creditable academic studies have shown that state-operated gambling is nothing more than a regressive tax on the poor;

"Whereas the New Democratic Party has in the past vociferously opposed the raising of moneys for the state through gambling;

"Whereas the government has not attempted to address the very serious concerns that have been raised by groups and individuals regarding the potential growth in crime;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government immediately cease all moves to establish gambling casinos and refrain from introducing video lottery terminals in this province."

That's signed by 10 constituents of my riding. I've also signed the petition.

#### HEALTH CARE

**Mr Allan K. McLean (Simcoe East):** I have a petition that says:

"We, the undersigned, believe that the health expenditure control plan and its proposals concerning physicians' services will result in the decrease in the quality

and availability of primary health care and ultimately threaten the integrity of the health care delivery system in Ontario.

"We strongly urge you to reconsider these measures and seek alternative just and equitable solutions to the problems facing health care and government deficits."

That's got signatures, approximately 149 names, from Orillia, Coldwater, Washago, Hawkstone, Sebright, Cumberland Beach, Bracebridge, Fruitland, central Ontario.

#### STABLE FUNDING

**Mr Pat Hayes (Essex-Kent):** I have a petition signed by 883 people and also another 302 in a ballot form. The signatures were gathered at the international plowing match. It says:

"I demand that you withdraw Bill 42, commonly known as the stable funding act, and allow farmers the choice of whether they wish to join a general farm organization or not."

#### HEALTH CARE

**Mrs Joan M. Fawcett (Northumberland):** I have a petition to the Legislative Assembly of Ontario:

"Whereas proposals made under the government's expenditure control plan and social contract initiatives regarding health care in the province of Ontario will have a devastating impact on access to and the delivery of health care; and

"Whereas these proposals will result in a severe reduction in the provision of quality health care services across the province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government of Ontario move immediately to withdraw these proposed measures and reaffirm its commitment to rational reform of Ontario's health care system through its obligations under the 1991 Ontario Medical Association/government framework and economic agreement."

I will sign the petition.

#### ST GREGORY SEPARATE SCHOOL

**Mr Chris Stockwell (Etobicoke West):** My petition today is to the Legislature of Ontario. It comes from some taxpayers in my riding at St Gregory school and it goes like this:

"Whereas the voters and taxpayers of the St Gregory school community have been requesting funds for a much-needed renovation and expansion of the present facility for 11 years; and

"Whereas the Metropolitan Toronto Separate School Board has placed St Gregory school as number one on its list of priorities on the capital expenditure forecast list;

"We, the undersigned, petition the Legislature of Ontario to allocate capital funds to the restoration and

improvement of the St Gregory school."

Thousands of people have signed this petition in my riding and I will sign this and submit this.

#### ONTARIO HYDRO

**Mr Larry O'Connor (Durham-York):** I've got a petition to the Legislature of Ontario:

"Whereas in a memo dated September 27, 1993, received by the township of Uxbridge, Ontario Hydro announced two hastily chosen sites identified as D1 and D2 and had selected candidate sites for dual-purpose transformer stations in the township of Uxbridge; and

"Whereas the candidate sites are contrary to the planning and environmental principles which have been used in the selection of other candidate sites by Ontario Hydro for this transformer station and further transformer stations which Ontario Hydro has chosen and established elsewhere in the province; and

"Whereas the candidate sites are comprised of number 1 and 2 agricultural soils and viable long-established agricultural operations:

"Therefore, that the Legislative Assembly of Ontario hereby advise Ontario Hydro that it objects in the strongest possible terms to the identification of sites D1 and D2 and for technical and financial reasons request that Ontario Hydro remove these two sites from further consideration and that the council of the township of Uxbridge further request that Ontario Hydro do not abandon the long-established criteria used in the selection of other candidate sites elsewhere in the township and in the province of Ontario."

I have received this petition in the form of a resolution from the township of the council of Uxbridge and I affix my name.

#### PICKERING AIRPORT LAND

**Mr Jim Wiseman (Durham West):** I've been presenting these petitions since July concerning the federal government's disbursement of land in North Pickering.

"To the Legislature of Ontario:

"Whereas the federal government intends to dispose of surplus lands on the Pickering airport site that are agriculturally rich and environmentally sensitive; and

"Whereas the residents have not been informed of the immediacy of the federal government sale plan;

"We, the undersigned, petition the Legislature of Ontario as follows:

"Therefore, that the provincial government of Ontario request the federal government of Canada to initiate a public review by panel of the federal Minister of the Environment to ensure an organized disposal protecting these rural resources and the community of residents there."

I affix my signature and hope that the federal government will now finally listen.

**Mr Larry O'Connor (Durham-York):** I've got a very similar petition to my colleague's here.

"To the Legislative Assembly and to the Lieutenant Governor of Ontario:

"Whereas the federal government intends to dispose of surplus lands on the Pickering airport site that are agriculturally rich and environmentally sensitive; and

"Whereas the residents have not been informed of the immediacy of the federal government sale plan;

"We, the undersigned, petition the Legislative Assembly as follows:

"Therefore, that the provincial government request that the federal government do initiate a public review panel of the federal Minister of the Environment to ensure an organized disposal of these lands protecting these rural resources and the community of residents there."

I have affixed my name and request that maybe they'll open up their public information offices again.

#### NATIVE HUNTING AND FISHING

**Mr Leo Jordan (Lanark-Renfrew):** "To the Legislative Assembly of Ontario:

"Whereas in 1923 seven Ontario bands signed the Williams Treaty, which guaranteed that native peoples could fish and hunt according to provincial and federal conservation laws like everyone else; and

"Whereas the bands were paid the 1993 equivalent of \$20 million; and

"Whereas that treaty was upheld by Ontario's highest court last year; and

"Whereas Bob Rae is not enforcing existing laws which prohibit native peoples from hunting and fishing out of season; and

"Whereas this will put at risk an already pressured part of Ontario's environment;

"We, the undersigned, adamantly demand that the government honour the principles of fish and wildlife conservation to respect our native and non-native ancestors and to respect the Williams Treaty."

This is signed by 542 constituents, and I also affix my signature.

1500

#### ORDERS OF THE DAY

##### LABOUR RELATIONS AMENDMENT ACT, 1993

##### LOI DE 1993 MODIFIANT LA LOI SUR LES RELATIONS DE TRAVAIL

Mr Mackenzie moved second reading of the following bill:

Bill 80, An Act to amend the Labour Relations Act / Projet de loi 80, Loi modifiant la Loi sur les relations de travail.

**Mr Steven W. Mahoney (Mississauga West):** Mr Speaker, I rise on a point of order. I confess that I've

tried to find the section in our standing orders; I know it's here, but I haven't had time to find it. It has to do with us receiving a package of amendments on the bill.

I'm quite concerned. I was prepared to do the leadoff remarks as the Labour critic on Bill 80. I've had numerous meetings; I've met with my staff and we've outlined all of the concerns. I have now received, not 10 minutes ago, five pages of amendments to this bill. I don't know what happened. Someone tells me it was somehow sent to a mail room or something—I don't know—but neither the critic for the third party nor myself nor, obviously, any members of our staff have been made privy to these amendments.

We've been asking for these amendments. There have been rumours about them. How am I expected to look through bureaucratese in a matter of moments while the minister—well, you can shake your head, but I don't know what all of these amendments mean. I would be making my opening remarks, as would the critic for the third party, without being privy to all of the information.

I believe that as critics we have the responsibility to speak to all of the issues in a particular bill, and the minister, the ministry, somebody in the government, has an obligation and a responsibility to ensure that we are given ample time to study any amendments and that we're given this information well in advance. We have not been.

I think we're in some jeopardy to speak to the whole intent of Bill 80 today. I regret that. I was quite ready to go, but I don't know how I can go on a bill when my comments could be running alongside of an amendment that makes my comments either irrelevant or wrong. I would be concerned about that.

I would ask for some help. I don't know if the government House leader or the minister has a suggestion. Possibly we could do some other business today and move to Bill 80 tomorrow, which would require some other adjustments, but I'm sure the critic for the third party shares my concern, and I think it's a very serious problem.

**Hon Brian A. Charlton (Government House Leader):** I hear the comments of my colleague and his point of order and take them seriously. Having said that, there are three things that we need to understand here today.

First, the only thing that's on the floor for debate today is Bill 80, as printed. This is a second reading debate, a debate in principle on the legislation. The amendments that the Minister of Labour has prepared are amendments that have been prepared as a result of a consultation. Those amendments at some point, when we finish second reading and the bill is in committee, will be introduced in that committee. The members opposite in fact only have those amendments out of the

minister's courtesy to them at this point.

**Mr Charles Harnick (Willowdale):** That's what the bill is going to say. That's positively nonsense.

**Hon Mr Charlton:** Mr Speaker, the members opposite may think it's nonsense, but the Minister of Labour has provided them with the amendments as a courtesy. They are not on the floor at this point.

**The Deputy Speaker (Mr Gilles E. Morin):** On the same point of order?

**Mrs Elizabeth Witmer (Waterloo North):** Yes, Mr Speaker. I am absolutely appalled that we received this proposed revision to Bill 80 not more than 10 minutes ago, and only then because we had heard via the rumour mill that there were going to be revisions to the bill. I am surprised and I am very disappointed that the Minister of Labour and his staff have not consulted with myself, the Labour critic for the third party, or with the Labour critic for the opposition.

We did not know about these amendments. We are not prepared to discuss them today. This is the way the entire piece of legislation has been dealt with: There has not been consultation with all sides involved. This is a very difficult and contentious piece of legislation. It's very technical. There are some legal ramifications. You should have given us that information before today and made us aware of it. Personally, I would like to move that the debate on Bill 80 conclude as of now.

**Mr Chris Stockwell (Etobicoke West):** Mr Speaker, on the same point of order and a couple of issues that directly impact on your decision: You've read the standing orders, and they've been dealt with on a number of occasions in the past, with respect to the ruling that the member for Mississauga West is asking you to make. He's asking you to rule on whether or not the material was in hand at the appropriate time so that we may debate this as we were expecting to today.

Might I add that during the last session in this place the Minister of Transportation introduced two separate pieces of legislation in the same week. During the introduction of those pieces of legislation, our information was supposed to be received previous to the discussions taking place, in fact even previous to the member introducing the bill.

I say to you, Mr Speaker, on both those occasions none of the proper material was in hand by the critics in the opposition parties previous to the bill being debated or introduced. On those occasions we got a firm commitment after the House leader suggested that in fact the documentation was delivered to the critics' offices, which was proven to be absolutely wrong, and we went ahead with the debate.

They didn't even give the information properly before this House to the opposition parties twice in the same week. Again, the House leader suggested that he had delivered them to the critics' offices, and that did not

happen. What took place was that we were being asked to vote on first reading of a bill without ever seeing the legislation. We were asked to do that without ever seeing the legislation or knowing at all what we were voting on.

It's becoming quite apparent to me, and I think others in this House, that the government is flouting the rules of debate in this place. They're not giving proper information, they're not giving proper lead time and they're passing it off on technical terms by suggesting, as the House leader suggests, that: "These are just there at our pleasure. We don't even have to deliver these. We're just giving them to you as a courtesy."

How can we in opposition, according to the Minister of Transportation's two errors and now the Minister of Labour's, be expected to function in this place and properly debate issues before us when the information is given to us but 10 minutes before the debate takes place? I say to you, Mr Speaker, if this minister is going to introduce these amendments to this House, we in opposition deserve certainly more than 10 minutes to digest the wide range and broad review of amendments to this piece of legislation. As Speaker, you must rein this government in on information supplied to the opposition so that we are allowed to debate these freely and coherently, with all the proper information.

Finally, if you don't allow us the opportunity, like the two times the Minister of Transportation completely messed up and now the Minister of Labour has messed up, you leave us no alternative but to sit idly by as the government proposes amendment after amendment, because not only have we not had the time but our researchers haven't had the time to review it, nor have the parties out there and the great public had an opportunity to read it. That is flouting the rules and taking a broad swipe against the democratic process.

**The Deputy Speaker:** Take your seat, please. I've entertained enough points of order on that issue. I think you made your point very clearly, all of you, and I was very patient. This is a debate on second reading. First thing, how can you produce amendments on a debate that you did not even hear? Second thing, it is not out of order. This point is not out of order.

Orders of the day.

1510

**Mr Mahoney:** On a point of order, Mr Speaker: On page 32 of the standing orders of the Legislative Assembly, 37(c) says that, and I'll just read this: "On the introduction of a government bill, a compendium of background information shall be delivered to the opposition critics. If it is an amending bill, an up-to-date consolidation of the act or acts to be amended shall be delivered to the opposition critics unless the bill amends an act amended previously in the session."

We have not, in this session, previously amended

this, so that would eliminate that. If what you're saying is, sir, that we cannot debate these amendments, then perhaps the minister should withdraw the amendments. He's tabled the amendments with us, not given us time. The House leader has said that this is a debate in principle.

Mr Speaker, I ask for your guidance here. I always thought that the debate in principle basically took place on first reading when a bill was introduced and that's why there's no debate because it's simply the principle of the bill, and yet there are precedents where there have been debates—the House leader knows that—on first readings in the last session of this Legislature.

Now you've introduced amendments. If I just take a look, just as an example, "Jurisdiction of the local trade union." This is a big issue in this particular bill, and this says, subsection 138.3(1), "A parent trade union shall not alter the jurisdiction of a local trade union, whether established under a constitution or otherwise, as the jurisdiction existed on the first day of May, 1992, unless the local trade union consents to the alteration." And it goes on about ignoring the—

**The Deputy Speaker:** Please.

**Mr Mahoney:** I only use this to point out, if I might, to wrap up, this is very—

**The Deputy Speaker:** No, no. Honestly. Please take your seat.

**Mr Mahoney:** —information that requires a proper opportunity to study and analyse.

**The Deputy Speaker:** No, no. Please take your seat. I've heard enough. This is a debate of second reading. Minister.

**Mr Stockwell:** No, Mr Speaker, a point of order: I'd asked you to rule on the question—

**The Deputy Speaker:** I just ruled. Please take your seat and don't argue with the Chair, please. I have made my ruling that there is no point of debating further. I'm now asking the minister to debate second reading.

**Mr Stockwell:** On a point of order, Mr Speaker.

**The Deputy Speaker:** On a new point of order?

**Mr Stockwell:** Yes, I didn't hear your ruling. Give us your ruling. I don't think anyone heard your ruling on this side. If you can give me the reasoning—

*Interjections.*

**The Deputy Speaker:** Please, please. I ruled that there was no point of order. I will now ask the minister to take the floor.

**Hon Bob Mackenzie (Minister of Labour):** Last—

**Mrs Margaret Marland (Mississauga South):** On a point of order, Mr Speaker.

**The Deputy Speaker:** On a new point of order, the member for Mississauga South.

**Mrs Marland:** Mr Speaker, I wish to ask you: I

heard you make a ruling on the first point of order raised. There was a second point of order raised by the member for Mississauga West, and I would like to hear your ruling on that.

**The Deputy Speaker:** I thought I was explicit enough. It's the same ruling. There is no point of order.

**Mr Stockwell:** But it says they have to deliver—

**The Deputy Speaker:** There is no point of order. I have ruled that there is no point of order and I will ask the minister to take the floor, please.

*Interjections.*

**The Deputy Speaker:** Order, the member for Etobicoke West.

*Interjections.*

**The Deputy Speaker:** Order, the member for Mississauga West. Minister.

**Hon Mr Mackenzie:** Last year, I introduced a bill to promote greater democracy, freedom and local control in the relationships between internationally based parent unions in the construction industry and their Ontario-based—

**The Deputy Speaker:** On a point of order, the member for Bruce. The member for Bruce has a point of order.

**Mr Murray J. Elston (Bruce):** Mr Speaker, I was in my office doing some other things and heard all of this confusion. I just want to make clear, Mr Speaker, on a point of order, that the Minister of Labour will not be allowed to speak to anything, then, but the actual text of what is on second reading, that he will be declared out of order if he raises one item that he expects to change in the revision proposals, which he just dropped on to our desks today.

Mr Speaker, I ask that he be kept to the actual text of the bill as it was introduced and that he be asked to take his seat if he raises any other issue.

**The Deputy Speaker:** I agree totally, but the ruling will not only apply to the government, but to everyone.

**Mr Elston:** Exactly.

**Hon Mr Mackenzie:** Last year I introduced a bill to promote greater democracy, freedom and local control in the relationships between internationally based parent unions in the construction industry and their Ontario-based locals. These proposals are now known as Bill 80.

Ontario-based construction locals have long expressed a desire for greater control over their own affairs. They often have little input into major questions facing their members on everything from collective bargaining rights to the administration and use of benefit funds to which they have contributed. These circumstances have developed over time and can be traced to the unique nature and history of trade union organization by craft in the North American construction sector.

On introduction, Bill 80 was received positively in

many quarters. I said at the time, however, and you'll note in my previous comments, that consultations among business and labour would continue, that it seemed likely that the bill would undergo further changes and improvements as it moved through the House.

Since that time, the international union community has raised concerns about two of our proposals. These are proposals to allow local unions to disaffiliate from their international parents, also known as successorship, and to impose an absolute prohibition on parental alteration of local jurisdictions.

**The Deputy Speaker:** Order. A point of order, the member for Etobicoke West.

**Mr Stockwell:** Mr Speaker, the minister is speaking about the amendments.

**The Deputy Speaker:** Minister.

**Hon Mr Mackenzie:** As promised, we have consulted widely on these and other issues arising from first reading of the bill. It is clear from these consultations that certain amendments would be appropriate. To that end, I'm announcing today that the government is proposing to remove the successorship provisions. We also intend to modify the absolute prohibition of parental jurisdiction alteration.

**The Deputy Speaker:** Order. A point of order. The member for Etobicoke West.

**Mr Stockwell:** Mr Speaker, you made the ruling that he cannot speak to the amendments. He is clearly speaking to the amendments there.

**Hon Mr Mackenzie:** They're not. They're not the amendments.

**The Deputy Speaker:** Please, please. He is not speaking on amendments whatsoever. He is not speaking on amendments.

**Mr Stockwell:** The proposed amendments?

**The Deputy Speaker:** He is speaking on second reading of an amendment to the Labour Relations Act. Please, Minister.

**Hon Mr Mackenzie:** Our proposals would permit such alteration, but only after a prior application to the Ontario Labour Relations Board has found just cause.

Bill 80 is now ready for second reading. It remains a strong and progressive package of proposals. It guarantees to Ontario construction locals shared bargaining rights in the non-industrial, commercial, institutional sectors, a right currently enjoyed in the industrial, commercial and institutional sector; much greater control over the resolution of jurisdictional disputes within their trades; greater protection from interference or reprisals from their parents; and proportionate control over their benefit plans.

We expect that after receiving second reading later today, Bill 80 will undergo further review at the com-

mittee stage. Our ultimate goal is to enact a law that brings a sense of balance and fairness to the relationship between local unions, their members and their international parents.

I think in closing I would simply say that we passed the likely amendments over at the request of the opposition parties, and I really wonder why we even tried to do that.

**The Deputy Speaker:** Questions or comments. Are there any other members who wish to participate in this debate? The member for Mississauga West.

**Interjection:** We've got Steve for an hour and a half.

**Mr Mahoney:** Yes, you've got Steve for an hour and a half. So sit back, relax and enjoy the show.

I understand that a pipe burst in the ministry. That's why they couldn't get the information. A pipe burst somewhere in the ministry, so they couldn't get us this. I wonder whose head the pipe was in when it burst.

**1520**

But what the minister has effectively done—I mean, it's really fascinating—is introduce a piece of legislation that many people are very, very concerned about; tries to pretend, whether it's in supposed answers in question period or his opening remarks, that the government's gone through some mysterious process of consultation with all of the affected people. I don't understand. I guess I'm a little thick-headed on this. When I have people who call me—

*Interjection.*

**Mr Mahoney:** Well, you might agree with that. These are the people who are opposed, whom you say you're trying to protect. Provincial Building and Construction Trades Council of Ontario, International Association of Heat and Frost Insulators and Asbestos Workers, Local 95; they actually voted against the bill. You don't want to listen to them. I don't understand that. You're supposed to be the Minister of Labour. Does that mean all labour or just the CLC? Does that mean every local in the construction industry or does it just mean Bob White? I don't understand that.

**Hon Mr Mackenzie:** Nothing to do with it.

**Mr Mahoney:** Minister of—well, maybe he does. It's curious that all of these unions, these locals, are not affiliated with the CLC, but rather their national affiliation is with the Canadian Federation of Labour, a little smaller organization with a little less clout than Mr White, unable to get Jesse Jackson to come out to get their picture on the front page of the *Globe and Mail*. And maybe—just maybe, I don't know—this may be a hidden agenda; awfully well hidden, I'll admit, but I don't know. I can't find out what other reasons this Minister of Labour would have for ignoring these people.

The Millwright District Council of Ontario; it doesn't

count in NDP Ontario? The Labourer's International Union of North America. Now, in fairness, this actually is the most upsetting part of this whole bill. We had brothers and sisters against brothers and sisters here over this bill and I've yet to hear a simple answer to the question, "Why are you doing this?" We have the Labourer's International Union of North America opposed to the bill and yet we have locals 247, 597, 1089 and 1059 in support of the bill. So here you've got locals within the same union on opposite sides of the issue. You're creating a civil war, for goodness sakes, within the labour movement and we don't know why. We don't know what it is you're going to gain.

The building and construction trades department of the AFL-CIO, it doesn't count in NDP Ontario? The Canadian Federation of Labour, Jim McCambly, you don't talk to Jim? He's perplexed. He doesn't understand why you would do this. Shirley Carr? Don't tell me Shirley Carr is opposed to this legislation. Can you imagine? I had a pleasant conversation last week with Shirley. She raises an interesting spectre, and that is one of this government being taken to court under the international laws of the International Labour Organization because it appears that once you pass Bill 80 into law, you will be in contravention of several regulations under the ILO in Geneva, Switzerland. That's a fact. I don't know if you've looked at this, but this comes from the former head of the CLC.

**Mrs Marland:** One of their old friends.

**Mr Mahoney:** And one of my family's old friends, a great friend of my dad's and my mother's Shirley said she's just disappointed and doesn't understand how you can go ahead with legislation that flies in the face of international convention.

You, sir, are going to wind up with your ministry, at the expense of the taxpayer, having to defend an international challenge because you will have violated at least three, and clearly one, conventions of the ILO.

It's one thing for a labour government, a social democratic government, to come into power in Ontario and introduce Bill 40, which was strongly supported by people in the labour movement and strongly opposed by people in business. At least you can understand your agenda there. At least when asked the question, "Why did you introduce Bill 40 and pass it into law?" you can give a clear-cut answer, and that answer would be, "It's payback time to Bob and Leo and Gordie and all the boys and girls in the industrialized union movement."

We didn't agree with the bill. We thought it was wrongheaded, not only wrongheaded for the business community but I believe it was wrongheaded for the worker on the shop floor, because it has driven out jobs. It may not be easy for you to measure and quantify and put in black and white statistics, because many of the companies that were going to make investments in Ontario decided not to, not only because of Bill 40 but

because they saw that you guys, at the time you passed Bill 40, had three more years in which to inject your poison into the economy in the province of Ontario.

I understood that. People would say to me in Mississauga West, small business people would call me and say: "Don't these guys get it? Don't they understand that by unilaterally making amendments to the Labour Relations Act that are as draconian as the amendments in Bill 40, they're going to drive the investment community right out of this province?" My answer to those small business people was: "No, they don't understand that. They don't realize that to have a job you have to have a business." Not everybody can work for government. Not everybody can live in social housing. People have to have opportunities, and who creates those opportunities? The industrialized sector, the small business sector, and they have to do it working hand in hand with the trade labour movement.

No union leader—I've said this before—ever negotiated a contract for the men and women in the rank and file that bankrupted the company. No union leader worth his salt would ever want to do that, because at the end of that particular negotiation, the company's gone, the jobs are gone and the union is gone.

But I understood the motivation behind Bill 40. It was payback time to the unions, absolutely. Well, you can shake your head. And it wasn't payback time to the rank and file; it was payback time to the political leaders within the trade labour movement, all of whom today hold vice-president cards in the federal New Democratic Party, not serving their representatives, not serving the constituencies that elect them in any way whatsoever. Now what you have is an opportunity to actually work with the duly, democratically elected leaders in the construction unions, and you're ignoring them.

Let me go on with the list. Again, I find it incredible. Shirley Carr, with her reputation, almost sainthood, I would say—she probably wouldn't agree—as far as her reputation in the labour movement is concerned, and she doesn't agree with you, Bob. She thinks you're dead wrong. In fact, she's convinced there will be a challenge under convention number 87 of the International Labour Organization, so I think you're heading down a road that's quite remarkable.

The International Brotherhood of Boilermakers: Do you care about them? You say you've consulted. I've heard about the consultations. They've been invited to attend the meeting and they sit there, and they're dictated to and told what's going to happen—no attempts to work with these people; no attempts to find out why it is they're so upset.

Talk about the mobility issue. This is not the auto workers when Bob White led them into their own national union. That's clear-cut. You've got a plant in Oshawa, you've got a plant in St Catharines, you've got

a plant in Oakville, you've got a plant in Windsor; they're units that you can get a hold of. They have people working in those plants; they're not moving around from site to site.

They might work for six months and not work for four months in the construction business. It may be their own choice to do that. They go to the union hall to find out what works are being posted, what opportunities are available. They move interprovincially around the country. Think of the construction worker in Kenora. It's entirely possible that construction worker could commute daily to Winnipeg. Will this have an impact on that construction worker if the local that he belongs to in Kenora is under different rules and regulations than the local that is controlling the work in Winnipeg, Manitoba?

1530

*Interjection*

**Mr Mahoney:** Well, it might. We haven't been able to get an answer to that.

This minister and the government are trying to turn this into the big bad American issue. That's not a new issue. That's been around for years and years, about international unions controlling the money that is generated by the union dues paid by Canadian workers. That's been an issue for years. I can remember it, growing up in the 1950s and 1960s, when the Steelworkers executive and the elected representatives all used to get their paycheques from Pittsburgh. The big argument in those days was that somehow you had to have this great local control and you has to disassociate yourself from the American union.

I've done a little research and I just want to share something on that particular issue, if I can just find it here, because it's very important about what it is you're trying to do when dealing with an American parent. This is actually from a bio, and I've read quotes from my father in the past. Some of you know he was national director of the Steelworkers, a union the Minister of Labour used to be an organizer for.

I remember the debates that went on with Joe Miller, one of Ms Carr's predecessors. I remember the debates with Johnny Barker in the Sault and all the arguments about affiliation or disaffiliation, about national status, and how we've got to control our own revenue and our own money here in Canada.

This is interesting. It says: "True national independence is a byproduct. It comes to a nation which seeks the greatest possible success...." Now, that's very relevant to this debate, because what this government should be talking about is seeking the greatest possible success for workers in the construction industry and not worrying about tinkering with their constitution. Where do you get off unilaterally changing the rules, in a democratic society, in a constitution that was adopted

by the rank and file and by the membership of any union? Where do you get off? It's outrageous. It's anything but democratic. It is highly socialistic and it's wrong. You're doing it unilaterally without the concurrence of the groups.

There are many more. I'm going to read the names into the record and I'm going to read the letters they've sent. They've sent some to me. They've sent them all to the minister. They've sent some to the Premier. I just don't understand why you're doing this to them.

"True national independence is a byproduct. It comes to a nation which seeks the greatest possible success, stability and independence for its individual citizens," also for its individual members of the rank and file of the union. In this speech, Bill Mahoney went on to say, "On the other hand, those who are willing to sacrifice people for shoddy symbolism and frightened isolation are doomed not only to disillusionment but to national failure as well." Minister Mackenzie, this is shoddy symbolism and you, sir, are dooming the members in the unions and the construction industry in the exact same way.

In the speech, he goes on to say, "A century ago, the menace"—we all see these great menaces; whether they're real or whether they're perceived, we all see these great problems out there—"was Great Britain." This speech is several years old, by the way, October 1965. It's somewhat ironic how strongly it applies to October 1993. "A century ago the menace was Great Britain. Now it is the United States. To some Quebec residents, it seems we can toss in English-speaking Canada.... Might we not be wiser if, like the positive thinkers of a century ago, we concentrated instead upon the task of making Canadians more successful?"

This was a labour leader, one of the compatriots of the men and women across there. Make the Canadian people more successful: What an outrageous idea. Do you not think we could try that? Do you not think we could concentrate on trying to make Ontario construction workers more successful, instead of telling them that we're just going to change their constitution, change the way they do business, that we don't care about their objectives?

Going on in the speech, the statement talks about the success in the United States. It says: "The history of the United States showed," in its battle for independence, "true independence followed success. It didn't precede success."

Here we a construction industry, with the highest level of unemployment in the province, and all they really want is success. You can't precede success with independence. You can't stand up and say: "We're going to go independent of our parent unions. We're going to just forget all the rules and regulations that have been put in place."

Let me give you an example, because let me tell you, this is a complicated issue. It's not simply black and white and it's hard to explain. The minister knows that and I think this bill's been drafted in such a way as to make it hard to understand to someone who doesn't live this business every day. But in the 1930s, maybe even the 1920s, there were rules put out, and many members across the floor would understand these rules.

There's a book that's out—it's that thick—and it's on jurisdictional disputes. So you're an ironworker and you're on a particular job. The plumbers are there and there's some fight over who's going to do certain work involved. There are statutes, there are rules that have been put in place that go back as far as 1927 that say, "This work belongs to the ironworkers," or "This work belongs to the boilermakers." Those rules are there. They've been drafted in legalese. They've been gone through in convention after convention of labour movements to try to solve disputes.

Disputes can come up not only in the area of the type of work that is being done, but geographically. I heard of a problem in the Quinte area where a union job brought workers in from Toronto for some reason, when there were equally skilled workers in that particular community quite capable of doing the job. There is a requirement to have a referee, to have somebody interpret the rules as they're laid out in the document.

Up to now, it's been the parent unions that come in. It's clear-cut. They get the rules out and they say, "This job belongs to the ironworkers; the rest of you guys get out of here," or "This job belongs to the local in Quinte; you guys from Toronto, hit the highway."

It's there; the mechanism is there. We talk about buzzwords and terms like "level playing fields" and "dispute settlement mechanisms." They're there.

If there's one thing the trade labour movement has accomplished—and there are many—it's a clear-cut set of rules to settle disputes. Now this bill—unless of course the minister's amended this but I'll have to assume he hasn't—will make the Ontario Labour Relations Board the dispute settlement mechanism. That's terrific. This is like centralizing power. This is like going to what in essence is a private sector mechanism working within the duly democratic system of the labour movement in the construction industry and saying: "We're going to have government call the shots here. We don't think you guys have been able to settle your disputes." We've asked: "Give us examples. Where are the problems?"

You talk about trusteeships. Name names. Where is there a problem? Yet we can't get an answer. All we get is laughing and shaking of the head by the Labour minister. Just give us the examples.

Is it at all possible that the leadership in the labour movement in the construction industry is mature

enough? There's one up there, Joe Maloney. Is Joe mature enough to be able to sit down and work out a dispute if a dispute occurs? I think he is and I think a lot of his cohorts who have been coming to us and coming to the critic for the Conservative Party—since when does the labour movement go to the Conservative Party in this province? That's how frustrated they are. They're now even going to the Conservative Party saying, "You've got to defend us."

**1540**

**Mr Gilles Bisson (Cochrane South):** Listen, they are the defenders of the working people, don't you know?

**Mr Mahoney:** I understand that. Why do all these people come to the critic for the Liberal Party, for the official opposition? Why wouldn't they go to you? They're supposed to be your people. Why wouldn't they go to you? Why do they come to us? Are they paranoid? What do you think, Joe? Are you a wacko? I don't think so. You're a pretty responsible guy who understands the labour movement, understands the construction industry better than most of us in this place. Pat Dillon, is he a wacko?

Minister, these are supposed to be your buddies. You won't talk to them. In Bob Rae's Ontario there's no room for talking to these people. You sit there and it frustrates you, but I tell you, if you're telling me that you've talked to these people and listened to these people, then they're all lying to me.

**Hon Mr Mackenzie:** I'm not going to say they are lying, but I have talked to them.

**Mr Mahoney:** They say you have not. You see, there's a difference between sitting in a room and saying, "What do you want?" and sitting in a room and saying: "How can we help you? How can we work this out?" Sure, the initial cries were to scrap the bill, and I think they'd still like you to scrap the bill, but why won't you comply with a simple request to set up a committee to involve people from the internationals, to involve people from the locals—duly elected, I might add—to sit down with Jim Thomas or whoever you want to assign this to, to see if you can put out on the table—you know what? I'd settle for this—the five greatest problems that you've experienced not having Bill 80 in place, just five of them.

I've been asking for somebody to tell me one example of a trusteeship in the last 20 years that's been imposed on a local union without just cause. I can't find it. The system's already in place. They have to make application to apply a trusteeship. They have to be subject to a review every 12 months to allow the trusteeship to stay in place. They can't just arbitrarily ride into town on horseback with their guns out and say: "Get out of here. I'm taking over the union." They can't do that. The minister knows that and the people in the movement know that.

I've talked about the boilermakers. I'll have some more to talk to you about them. I have so much documentation on this stuff, it's unbelievable. It's hard to know where to begin.

The Hotel Employees and Restaurant Employees International Union opposed Bill 80. They don't count in Bob Rae's Ontario or Bob Mackenzie's Labour ministry. How can that be so? We rely on those people. In many cases, those are the first people all our guests who come to Ontario see. The people who work in the hospitality industry can make or break this province, they can make or break a city, the way they react to the people who come in and visit. We have a great tourist destination here in the greater Toronto area, with our Blue Jays and our Leafs and our Dome and all of the benefits of coming here. It's a wonderful place. It's a safe place.

**Mr Ted Arnott (Wellington):** Basketball.

**Mr Mahoney:** A basketball team is coming, thanks to David Peterson and others. It's a great place to come and these people are sort of the front line. I'm sure Oshawa's a tourist community to many. You've got people in that union in Oshawa, I say to the former mayor. The Hotel Employees and Restaurant Employees International Union, what's the wrong word there? Is it "international"? Is that what bugs you guys? Do you want to wrap yourself in some mythical flag? Maybe it is. Maybe that's the problem. Maybe you want to put a border up around the province completely, but remember one thing: When you put that border up around the province, it's not just on the American border; it's on the Quebec border; it's on the Manitoba border. It eliminates the ability for mobility that these people have enjoyed up to now. Think about it. Whether it's from Ottawa or Cornwall, whether it's the GTA or Niagara Falls, whether it's Windsor or Sarnia, wherever there are construction tradespeople in those communities, many of them will go south of the border.

In fact, I have an example here. This is quite interesting. I told you I was going to talk about the boilermakers a little bit. This is an order form for jobs. Imagine that. We could use that here instead of this phony Jobs Ontario whatever you guys are putting up and trying to pretend you're solving the unemployment problem with when every Friday we just see new figures coming out that show that's not the case. This is an order form. This is called MOST. Listen to this: mobilization, optimization, stabilization and training. That's what these people are concerned about. This is actually entitled A Job Order for Canadian Boilermakers. It's pretty current too, hot off the press.

Local 667 in Charleston, West Virginia, is requesting manpower from the Canadian local supplying manpower, Local 128 in Toronto, Ontario, Canada. They give the port of entry, Buffalo, New York, and tell them they should use the Fort Erie bridge. This is not new.

This goes on a lot. They're looking for 20 welders to work a day shift starting at 7 am, and 30 more to work a night shift starting at 5:30 pm. The job location is the Mitchell plant, Moundsville, West Virginia. They suggest that they report directly to the job site. Boilermakers will be screened prior to employment, welders must pass certain tests, etc, etc. They will work for the Minotte Contractors in Minotte Square, Pittsburgh, Pennsylvania, four 10-hour days, Monday through Thursday, six to eight weeks of employment and, listen to this, \$18.90 an hour plus an additional dollar effective October 1. They pay mileage for these people to get there. There's a relationship there.

This is just common sense. If Local 128 in Toronto is disaffiliated with the International Boilermakers, where do you think Local 667 in Charleston, West Virginia, is going to look for its workers? Maybe under NAFTA they'll look to Mexico. Who knows? Maybe they will. You people decide that you're all against NAFTA, any kind of free trade. You want to put those borders up. Now you're going to put borders up around the movement and the mobility of people in the construction unions. I again ask the question, why? What did they possibly do to tick you guys off?

The unions in the auto industry have said they're not going to send you their dues any more. I didn't hear that out of the construction unions. I didn't hear a resolution from anybody working or not working in construction blaming the NDP for all their problems. They were trying to be loyal, and what do you do? You stab them right in the back. They don't understand it.

That's a hot-off-the-press job order for Canadian workers. If you pass Bill 80, we'll be in jeopardy. Will it automatically happen? No. There has to be a disaffiliation, there has to be a breakaway, there have to be debates, clearly, but you're putting in place a mechanism that bypasses the legitimate constitution of the International Boilermakers along with dozens of other trade unions. They don't understand why you're doing it. Who are you paying off this time? You paid them off in Bill 40. I don't know who it is. Maybe it's the same people.

**1550**

The International Brotherhood of Painters and Allied Trades Ontario Council: They don't count in Bob Rae's Ontario. The International Brotherhood of Electrical Workers: They don't count in Bob Rae's Ontario. The United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry—how do you get all that on a business card, goodness gracious?—of the United States and Canada, Local 800 in Sudbury: What's wrong with Local 800 in Sudbury of the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry going to work in Pittsburgh if the jobs are available there? Does it make you wonder?

I could just hear this. This would be a question in question period. Let's say it was the reverse. If Local 128 in Toronto sent out a job order for American boilermakers to Local 667 in Charleston, I think it would be front-page news. People would be yelling and screaming they were taking jobs away from Canadians. But clearly they've identified, in two shifts, a requirement to have these very highly skilled, highly trained welders. They need them on the job for six to eight weeks. They can't just train them in the States for a secondment of six to eight weeks, almost. That's what it is: It's like a secondment. "We're going to borrow your welders and we're going to use them and we're going to pay them \$20 an hour plus mileage and expenses for them to get here." Sounds like a pretty good deal. Why in God's name would this government want to take that option away from highly skilled Canadian boilermakers? There must be a reason. Maybe we'll find it during this debate.

We've talked about the boilermakers. There's the International Union of Elevator Constructors. Now, the Sheet Metal Workers International: There are people on the other side of it. Local 30 of the Sheet Metal Workers International Association is in support of Bill 80. Let's put all cards on the table. I don't have a problem with that. I don't know if they've actually gone to their rank and file, though. I don't know if they've sat down with their rank and file to understand the impact of Bill 80 and the fallout from Bill 80, whether it's mobility or whether it's amendments and changes to a constitution done so arbitrarily and in a mean-spirited way, the way this minister is doing it, I don't know if they've done that, but I think it should be stated that they've said they're supporting it, and yet the Sheet Metal Workers International Association is against the bill. So once again you've got a break in the family.

The sort of gist of my question to the Minister of Labour earlier today in question period was to say to him, "Stop causing a rift within the labour movement in the construction industry." There are some people who think the construction companies are the ones that are going to pay the price. Let me tell you, the construction companies, if they get caught up in the middle of a labour dispute, will find a way to go to a non-union shop and you will be doing a disservice to the union representatives who have supported this party in the past and helped this government get elected. You're even playing a game that risks the solidarity within the labour movement. They're fighting with one another over this. It's not just an American against a Canadian; it's a boilermaker against a boilermaker, a plumber against a plumber. In Bob Rae's Ontario, it's hard to understand.

**Mr Bisson:** Put your hand over your heart when you say that.

**Mr Mahoney:** Well, you can jest about this. If you guys have decided to write off the labour movement,

then say so. Stand up and say you don't give a damn about the labour movement any more and you don't care about the men and women in the construction industry in Ontario. If you want to make a joke about it, you go ahead.

**Mr Kimble Sutherland (Oxford):** Cut out the self-righteousness.

**Mr Mahoney:** Well, it's not. I'm quite serious. You're smug. I can't believe your attitude.

**The Deputy Speaker:** Order. Back to the bill.

**Mr Mahoney:** Sorry, Mr Speaker. The United Food and Commercial Workers International Union is on record as being opposed to Bill 80.

Here we go again with another split in the labour family. Labourers' International Union of North America, Local 837 in Hamilton, in the Labour minister's own home town, is opposed to it. How does he even go out and shop in the community? How does he face his supporters, his past supporters, for bringing in legislation that they're upset about, that they're opposed to, that they want trashed?

The Quality Control Council of Canada is opposed. The International Association of Bridge, Structural and Ornamental Iron Workers is opposed. The Ontario Allied Construction Trades Council is opposed. The International Brotherhood of Electrical Workers, Local 804, Kitchener, is opposed. I didn't make these up, folks.

The Canadian Federation of Labour, Jim McCamby, is opposed. Do you care about the CFL? They've got 15,000 sheet metal workers. They've got 2,500 electrical contractors. They've got 36,000 members of the International Union of Operating Engineers. The journeymen and apprentices—the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry—do you know how many of them there are? Forty thousand of them.

The CFL is opposed: 3,400 in the International Association of Heat and Frost Insulators and Asbestos Workers; 14,000 in the International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers; 16,000 in the International Brotherhood of Painters and Allied Trades; 12,000 in the International Union of Bricklayers and Allied Craftsmen; 70,000 in the International Brotherhood of Electrical Workers.

You guys are toast if these people decide to vote against you. I've got a feeling, from the conversations and from the mounds of documentation that I've received just on Bill 80, anything you gained in the labour movement by bringing in Bill 40 is down the Suwannee, folks. It's history. There are 2,200 in the Operative Plasterers' and Cement Masons' International Association of the United States and Canada; 1,000 in the Canadian Office Employees Union. In Manitoba, 1,300 health care professionals are members of the

Canadian Federation of Labour.

I understand that the CFL does not have the clout and the power and the political weight that the Canadian Labour Congress has with the NDP. I understand that, and I guess if you stood up here and read a list of the membership in the CLC, it would far surpass the poor, lowly little CFL. But the thing that's interesting is that it's the construction unions that make up a huge portion of the membership in the CFL.

I asked Joe and I asked Pat and I asked a number of these people—it's nice to see the minister is now talking to them. It's a little late, Minister; the bill's on the floor. I hope you guys are having a good conversation now. Bob's up there saying, "What did we do wrong?" It's nice that he's gone and at least taken my advice to talk to them. Maybe it's some of these amendments they're prepared to accept; I don't know.

Is this all a game? Are we just pawns being fooled around with? I don't think so. I saw the passion this morning in the press conference of the people who were there from the construction unions. They're scared of you guys now. I don't think it's a game at all. It's a game to you. You sort of weigh, "How can we get away with this; who are we paying back?" and you just go ahead and steamroller it.

Let me just share some things with you, Mr Speaker, that show the depth of the concern. I've got so much, it's hard to know which one to begin with. Here's one from the IBEW. This is addressed to the Premier from Jerry Wilson, business manager, financial secretary, IBEW Local 804.

Madam Speaker, congratulations on your new post as our Deputy Speaker. It's nice to see you in the chair. I'm sure you'll bring some dignity and class to that particular position. You have a great history and tradition to follow in. Now, be nice to me.

**Mr Bisson:** Stop sucking up, Steve.

**Mr Mahoney:** I've got to. The last guy wasn't nice to me. She's going to be nice to me.

**Mr Pat Hayes (Essex-Kent):** He's out of order, there.

**Mr Mahoney:** It's out of order for me to congratulate the Speaker? Geez, you don't even like the Speaker around here. Give me a break.

This letter says:

"Dear Mr Premier:

"It puzzles me why such anti-labour legislation would have such a high priority when your government has so many other more important challenges to deal with."

1600

This is Jerry Wilson—there it is, folks, business manager. He sent Bob Mackenzie a copy of it—really raises an interesting point. You'll recall, in the summer, that document that was leaked to Steven Offer, the

member for Mississauga North, and showed the government agenda and what was being proposed in the fall.

Bill 80 was on that. I admit that. Bill 80 was on that. You know what wasn't on that? Jerry raises this very valid point: workers' compensation. I don't understand why we're here debating second reading of Bill 80 when what we should be doing is looking at a piece of legislation and giving it first, second and third reading to reform workers' compensation.

Would the Minister of Labour please get his priorities straight? Would he not recognize and understand that there are injured workers in the construction trades, in the auto industry, in the steel industry, in small business all over this province, who can't get satisfactory service out of a Workers' Compensation Board gone mad? But it's not important. You'd rather deal with Bill 80 than look at real, solid ways to reform workers' compensation.

We had them before a committee. There were a lot of questions asked, not the least of which—the minister wished I had asked him a question in the House because I guess he was going to try to hit it out of the park. He wanted me to ask him a question in the House about why workers' compensation bought a flooring system from the United States. Instead of attacking international unions, why don't you attack cross-border shopping by your own government agency headed by a former member of your caucus?

Isn't that something that should be high on the list? Isn't that something you should care about? On top of the fact that they cross-border-shopped for a flooring system that was manufactured right here in Oakville and they bought an American flooring system, they paid half a million dollars more money.

Odoardo Di Santo, the chairman of workers' comp said to me—and it's in Hansard—in that committee, "It's not taxpayers' money." Imagine that; it's not taxpayers' money. The small businesses who support workers' comp are not taxpayers? When you have a system that is legislated in place where the business has no option but to provide workers' compensation; it's mandated by law; you don't call that a tax? What do you want to call it? You want to call it a premium.

If it were just a premium, you would allow the business community to go out and buy from competitive insurers the workers' compensation coverage that would be required under the act. See, I don't have a problem with it being required; it should be required. We must take care of our injured workers in this province, but we're not doing it. Instead of dealing with something that would resolve the concerns of the injured workers, ask any one, I say to the Minister of Labour, of your members in your backbench, any one of the Tory members, anybody in my caucus, what the number one issue is in their riding constituency offices every day, every week, every month and has been for years:

workers' compensation; not international unions, not Bill 80, not even Bill 40; workers' compensation, job one, followed closely by SCOE, support and custody problems. But the number one issue is workers' compensation.

Here we are in the fresh beginnings of a new sitting of the Legislature, an opportunity, I would've thought, to put some of the acrimony we've all seen and felt and heard in this place behind us and move into issues that, generally speaking, I think the government would concur with, and that is, there need to be changes in workers' compensation.

Brian King, I believe, would agree with that, that there should be changes in workers' compensation. I might add, Minister, that under some duress and perhaps some stress in questioning, he brought some very good answers to that committee and, I think, at least attempted—even though I didn't agree with everything he was saying—to satisfy the concerns of committee members, both in the Conservative Party and the Liberal Party. I congratulate him for that. He knows I don't agree with some of his ideas. He knows that I consider him to be an appointee of the Premier, along with his boss—I assume his boss—Mr Di Santo, but at least he recognizes that the system is broke.

There is an old, old question in government: "If it ain't broke, don't fix it." Here we got one that ain't broke and you're trying to fix it, and we've got one that is broke and you won't even put it on the table. What is it you're afraid of?

We're all complicit in the problems at Workers' Compensation. No one party, you'll be delighted to know, is responsible for that. The Conservatives made a mess of it, we created some problems and didn't clean it up, and you guys are just sitting there fiddling while Rome burns. I don't understand it.

**The Acting Speaker (Ms Margaret Harrington):** Would the member return to Bill 80.

**Mr Mahoney:** Well, it is, because the question is, if you won't deal with the issues of concern—I mean, this is on Bill 80, this letter that I'm reading from Jerry Wilson:

"It puzzles me why such anti-labour legislation would have such a high priority when your government has so many other more important challenges to deal with."

So it is directly Bill 80. We should be scrapping Bill 80 today, as well supporting the fact that the minister slaps amendments on our table 10 minutes before it's time to speak. I don't know what these amendments say. You can't even understand them. They're written by the bureaucrats over in the Whitney Block somewhere or in the Ministry of Labour, and you've got to have an opportunity to analyse them and understand them. Even the bureaucrats know that.

So we should be scrapping Bill 80, saying to the

construction unions: "We want to sit down with you now. We hear your concern. We hear your anger and we want to set up a committee."

We don't need a royal commission on this one, Minister, let me assure you. I don't happen to think we need royal commissions at all. I think they're expensive: three million bucks for your John Sewell commission. It's going to be three million bucks for the education commission. Automatically, zero to \$3 million in 60 seconds, the minute you set something like that up.

I don't think we need that here. I think we need to sit down and say, "What are the problems," identify the problems, identify the people involved, identify the unions involved—let me tell you, if some parent American international union is riding into town, putting the boots to one of our locals, then I'd be upset about that. I'd say to Bob Rae, I'd say to Bob Mackenzie—I'd be the first one to jump up in this place and demand that you put a stop to that kind of abuse. But I can't get examples out of you. Maybe some of your speakers will give me some. I can't get any examples. Put the problems on the table; sit down as mature, democratically elected representatives of the Boilermakers, of the Building and Construction Trades Department, of the Ontario Allied Construction Trades Council, of the Building and Construction Trades Council of Ottawa, Hull and District, of the Provincial Building and Construction Trades Council of Ontario.

Madam Speaker, the Labourers' International Union of North America: "Bill 80 interferes with building trade unions' ability to govern themselves democratically. Bill 80 interferes with union constitutions and bylaws."

That's not just some opposition blowing wind; that's from the Labourers' International Union of North America. There it is on their letterhead, signed by Joe Mancinelli, manager, central Canada subregion.

Don't you listen to these people? Maybe we have to rethink what's going on. You guys, since you got elected, you've become Tories. It's hard for us to understand in the Liberal caucus. We never know. There's a ventriloquist in the room sometimes, and then the leader of the third party stands up and goes on about his new-found friends in the labour movement, his new-found brothers and sisters who are turning to him. I think he exaggerates a bit.

But the fact of the matter is that these people who used to be your constituents have nowhere to go any more. They have no one to talk to. So they're doing the only thing you can do in a democratic society: They're holding press conferences; they're denouncing the government; they're creating demonstrations; they're meeting and talking with opposition politicians; they're briefing caucuses. They're saying: "The government won't listen to us. Will you?"

### 1610

We analysed this and said, "You know, we don't want to get involved in internal bickering within unions. It's a messy business." I remember full well. I was there when the Steelworkers raided Mine, Mill in Sudbury. Talk about a messy business. That was not only messy, it was violent in those days, and there's still some anger in Sudbury. Witness the emergence in the mines of the CAW. It's funny how Bob White keeps coming up in all this stuff. I don't know; I guess Jesse Jackson likes him. He must be a really powerful guy, because his name just keeps coming up, coming up, everywhere you look. I know it's Buzz Hargrove, but I've got a feeling Bob just might have sort of a little in, in the CAW that he created.

I congratulate him, you know that? I think he's established a relationship between the CAW and his American counterpart that is a model that could be followed with an industrialized union where you can identify the workplace, where you can identify the product, where you can identify the skills that are required virtually on an ongoing basis, totally, completely unlike the construction industry.

That brings up a point. The Steelworkers have had the right—I'm losing the voice here; I know that would make some of you happy—to disaffiliate. Minister Mackenzie would know that. They've had the right to disaffiliate. Is the problem here one of the big, bad American picking on the little Canadian? Let me tell you about the Steelworkers. Who's the president internationally of the United Steelworkers of America, a fine fellow too? A man named Lynn Williams. What nationality is he? Guess: Canadian. Interesting.

When does Leo Gerard go to Pittsburgh as the new secretary? First of the year? Former national director of the United Steelworkers. Now we're going to have two hotshots in the top hierarchy of the American Pittsburgh headquarters for the United Steelworkers of America, both of whom are Canadian citizens. Well, I think that's great, and especially when you've got to get elected to those jobs. That's not an easy thing. It must tell you something about the competency and the integrity of a guy named Lynn Williams. And while I find it hard to say, it probably says something about the competency at least, if not the integrity, of my friend Leo. I can tell you that Lynn is very well respected in the international community, and so he should be.

I'll tell you, on a personal note, that years ago when my dad was in a home and was quite ill, the Steelworkers cut off his benefits. They put my mother in a terrible position, and it was like dealing with government to try to get it resolved. My mom and my brothers and everybody tried going through the local office. The bottom line was that here they were cutting off a former national director for 23, 24 or 25 years, a vice-president of the Canadian Labour Congress. They

were cutting him off of the benefits while he laid in a home, in a bed, putting his wife to the trouble of having to pay a substantial amount of money.

I was just a city councillor in Mississauga at the time, and I remember writing a fairly impassioned letter directly to Lynn Williams. I had met him years ago as a young boy but had never talked to him beyond that, and I told him the story. Within two weeks Lynn Williams came back, restored full benefits for my father and paid the difference of the money that was not paid for his care, because they recognized that there was something that just fell through the cracks. They did the decent thing, and they didn't have to. Lynn had to bend the rules a little bit to get that taken care of.

I would bet that just about anybody in the labour movement would have applauded that decision by Lynn Williams, regardless of who it was. There was a serious problem in a social safety net that fell through the cracks, and they recognized it and they resolved the problem. I thanked Lynn and my mother did, and I thank him again publicly for the terrific work he did on behalf of my family. I appreciated that.

Here is a Canadian who is running one of the largest labour organizations in the world, and we're worried about the relationship between an international union and the construction industry?

I go back to the speech earlier, the comment that independence does not precede success. What do you need to do? You talk about priorities. Many of these letters talk about priorities. What do you need to do to help the construction unions? You could announce some kind of job program, I guess. You could work with industry to find some opportunities to create jobs. You could help them in the relationship with the international in smoothing any problems they might run into as they cross the border. You understand that one of the things an international union provides for these construction workers is a green card. Imagine that.

There are lotteries every year. There are people who would kill to get a green card, because they want out of Ontario because of what your government is doing in driving our taxes up, driving our deficit through the roof and bankrupting the future of the province. They want out. They can't get green cards. They can't get them.

**Mr Donald Abel (Wentworth North):** That's not true. That's not right.

**Mr Mahoney:** Well, that is right. It's right on the work order, the job order for Canadians. It tells them right here where they report and how they'll be screened: "Everyone that enters the US at the port of entry will receive an I-94 form"—I always thought that was a highway—"with the H2B classification. This will be their official document to legally work in the United States. Canadian boilermakers that have not worked in the US before will have to show this document in order

to receive a US social security number."

Imagine that. For a six- to eight-week posting, they even give them, temporarily, a US social security number. They give them a green card, which allows them to work there. You want to stop that? You want to jeopardize that? I don't understand. Are you so anti-American that you can't see the forest for the trees? Do you not recognize the relationship that the two unions, the international and the local here in Ontario, have developed and how positive it is? You're jeopardizing it within Canada as well.

To move to other provinces, just follow the example of that worker I talked about in Kenora earlier, who wants to go to Winnipeg to a construction job, presumably because the skilled trade that's required in Winnipeg is not available in Winnipeg or in Manitoba. That clearly happens in the construction industry. There are people who are highly skilled in certain areas in the Toronto area, others who are highly skilled in other areas in Pittsburgh or in Winnipeg or in Sault Ste Marie. Everything doesn't fit into little boxes, into little slots the way the socialist mentality would have it happen: "You will be here, and you will do this job. You will be here, and you will do that job."

That's what freedom is all about. You talk in terms of Bill 80 providing more freedom. The reality is that it has the very serious potential to damage the mobility of people in the construction unions. If you would just stop it, please, on behalf of the unions, stop it, sit down with them and say: "What are your real problems? Why is it you've got Elizabeth Witmer and Steve Mahoney all upset about this stuff? What did we do wrong?"

I don't think you'd be penalized for that. In fact, I know for a fact you wouldn't. People would say: "Boy, that government has gotten a little mature. As bad as they've been, with all of their scandals and their incompetence and their inability to do anything to get the economy moving, to create construction jobs, as bad as they've been, they're finally awake and they're willing to sit down with people in the construction unions and talk to them about these problems."

## 1620

I just don't understand why that's such a bad thing, except that somebody in either the corner room or—maybe Bob Rae made a commitment during an election or something like that. He's done so many things wrong that he's got everybody bailing out on him, so angry, so upset, whether it's the municipalities, whether it's the ambulance drivers, whether it's the police, whether it's the firefighters' union.

Firefighters' unions have traditionally, many of them, supported the NDP. I can tell you that they're not going to do it this time. They're very disillusioned. They can't get an answer. I won't be surprised at all. Trust me. You guys may be surprised if you think you're going to corral any support from the trade labour movement

outside of a few of the staunch, usually elected in high places, members of the NDP. You see, that's the big difference between today's political society around democratic socialism and the way it used to be in the 1950s and 1960s.

You had a few members like Jean-Claude Parrot and others in the labour movement who were strong card-carrying members of the NDP. You used to have a little bit of that, but by and large, union leaders understood—and in my view, they are personified by the leadership in the construction union with whom I have met in the last couple of months. They understand that the pragmatics of union politics mean you've got to have some concern for the company, that you've got to have some concern for the project.

I believe that the men and women, but mostly men, in the construction trades are proud of what they do. When they leave a job site at the end of the day or at the end of the project, they can stand back and actually—you know, it's a great feeling. Not being very handy with a screwdriver and a hammer myself, but having learned out of necessity in raising a family how to do a few things, it's a great feeling when, at the end of the day, you can look at the little cupboard the TV sits on—and pray it doesn't collapse—and know that you built it.

Imagine how these people must feel when they build a huge building, when they build a bridge, when they work on an ironworks project. It must give a tremendous sense of satisfaction to each and every one of them who work in the business. I believe they care about the quality of the project, and they care that the company that is building it, whether it's the general contractor or a subcontractor or whoever it is—they know they've got to keep those guys in business somehow so they can keep their jobs, Norm, and you know it too.

But I don't think the government knows it. I think the government thinks you can just package everything up into neat little socialistic pieces of legislation and jam them down people's throats with absolutely no regard for the impact—or somebody's stupid, and I don't believe that. I believe there's got to be, collectively at least, enough brains within the government to figure out when something is going to cause a serious problem. I believe you must have analysed the impact on mobility, although I have talked to some members opposite and they had never thought of it before. But surely to goodness the minister has analysed the impact on mobility. Surely that's happened.

I would hate to think that we would be going through a piece of labour legislation that will and may and can directly change the mobility of everybody who works in the construction industry in unions. I would hope to goodness—well, I know Jim Thomas, the deputy, must have looked at this, and if he did, I'm sure he told Bob Mackenzie, the minister. Somebody's got to understand

this. But you just ignore it; it really is difficult to understand why you would do that.

The International Brotherhood of Electrical Workers, Ken Woods. Everybody know Ken? Good guy, right? He writes to Mr Abel. He says, "I am appalled at the statement in the third paragraph of yours of November 26; wherein you state, 'Ministry of Labour staff has extensively consulted with the bipartite construction industry advisory board and...unions.'"

I'm glad you're here, Don. This is a letter to you.

**Mr Abel:** I read it.

**Mr Mahoney:** "Sir, as a member of the Premier's construction industry advisory board I can assure you there was no consultation with that board whatsoever, let alone 'extensive consultation' on Bill 80." Is Ken Woods a liar?

**Mr Drummond White (Durham Centre):** How could you say that?

**Mr Mahoney:** He is? Is that what you said? Somebody said—oh, was that a grunt? You're excused.

Is Ken Woods a liar? I don't know. I didn't make this up.

**Mr Abel:** Did you get my letters?

**Mr Mahoney:** He sent a copy to my leader. If you read your letter, it's copied to Premier Bob Rae, Bob Mackenzie, Lyn McLeod, Mike Harris and all Liberal members of the Legislative Assembly, so it came on my desk. Shouldn't I get a letter like that? That's a letter from a public official in the union industry to a public official in the Legislature. He says there has been no consultation whatsoever.

I don't know. I guess I would go to my minister, if I were sitting in your shoes. I don't mean to pick on you. This is the minister's fault, not yours, but clearly he's responding to a letter that you wrote him and he says your facts are wrong, that there was no consultation.

Answer my question: Is this man a liar? He put it in writing. I don't think he is; I think he's telling the truth. I think what you do is develop sort of a model of consultation. You think you go out to consult and consult, but what you really do is insult and insult. You insult their integrity. You insult their intelligence. You insult the democratic process that says we should work together to build legislation: "If there's a problem, put it on the table. Tell us what it is. We'll help you correct it. The union membership will help you correct it if there's a problem."

It's truly incredible that a government—and let me tell you something else. I hope I can find this in this pile of documentation I have, because I have a little note in here from Shirley Carr. It's around somewhere; it'll show up when I don't need it. It's a little note from Shirley Carr in which Shirley expresses the concern, as I mentioned earlier, about the fact that you may be

flying in the face of some international conventions of the International Labour Organization in Geneva, Switzerland. Shirley points out in her note to me that they can't challenge that until the law is enacted. So there's nothing they can do. They can warn you, they can talk to you, they can implore you, they can beg you, they can demonstrate, they can give speeches, they can do all of those things, but they can't actually challenge a piece of legislation under ILO conventions until it becomes law.

So what you're going to be heading for is that not only are you being unfair to the unions on the construction side, in the construction industry; you're being unfair to the taxpayer, because after you pass this there are going to be challenges filed with the International Labour Organization in Geneva calling your government to task, saying you have violated those conventions.

Could it be possible that a socialist government—I don't even call you a labour government any more. That's what you used to be when you got elected. You were seen as a labour government. It's over. The honeymoon's over. Kimble, get a fast car because, buddy, you're gone. You're not a labour government any more. You're a socialist government, you're dogmatic, you're a little more conservative than I ever could have imagined you could be and you're hurting the people who thought you were their friends.

To a former organizer for the United Steelworkers—and I don't say this as a personal shot, because I'm criticizing your legislation and your process, which is my job. The unions, as I said to you, Minister, in this House in question period, thought that when you got re-elected as part of an NDP majority government, I know they just said: "Oh boy, here we go. Now we've got a friend in Queen's Park." That's what they thought. You delivered Bill 40 to them and that's what they thought.

**1630**

Well, let me tell you something: If you're such a good pal, why don't you make Bill 80 apply to all unions? Why are you singling out the construction trades? I think the critic for the third party asked that question last week and couldn't get an answer out of the minister. If it's good for the electrical workers, is it good for the steelworkers? If it's good for the boilermakers, is it good for the auto workers? Why? I don't know.

Something kind of stinks when I look at the fact that here comes that name again, Bob White, when I look at the fact that the construction guys are not affiliated with the CLC or the OFL, but rather they go their own way with the CFL. Maybe I'm being too cynical. Maybe I should realize that these knights in shining armour on white horses wouldn't do such a terrible thing to all of those people in the construction industry. Maybe I'll try not to be so cynical, but I'll tell you, there's a smell

that permeates, that's coming out.

I keep looking for an answer to the question why and every time I go around the circle and I discuss it and I meet with the union guys and I analyse it and the staff in research develop papers on it and we do the pros and the cons, because out of all the bills, outside of Bill 40, that I've been involved with in this place I've never seen such extensive analysis and such extensive reporting done as I have on Bill 80. It's because you look at it on the surface and you go, "What's wrong with giving our local guys a little more clout and a little more say in their business affairs?"

Why are they doing that? Are they answering a problem? Was there some jeopardy somewhere? Did somebody get put into trusteeship? Was some union business agent booted out of office unjustifiably? Have there been some strong-arm tactics by some international parent? Are they not getting their fair share of jobs? Are Canadian workers getting shortchanged because an international is bringing Buffalo workers into Toronto? I'd love to hear if that's the case.

You know what? I'd stand shoulder to shoulder beside you if you could give an example. Give an example. Don't laugh about it. Tell me that those things are happening. There's nobody on either side of this Legislature who would not want to stop that kind of abuse. But we can't get examples. Instead, we get unilaterally drafted, singularly disgusting attempts to ignore the constitution of a duly elected body. This part of it is really quite simple. I don't care if you're organizing a Little League baseball league, a ratepayers' group, a union, a company or any kind of association; you establish rules and those rules are basically called your constitution and you appoint certain people in certain positions and away you go, you start operating. That's what these unions have done. They have a duly passed constitution, a constitution that's supported, that includes an international parent, that allows for that international parent to find them work south of the border and in other parts of Canada. And it's working, but you decide you've got to fix it.

I find it incredible that this government comes along and all it wants to do is do paybacks or tinker around with problems in the labour movement when it should just help them get jobs, help them get more projects. It doesn't matter who it is. Help them build more cars. Do something to turn consumer confidence around. You gave \$1 million down in Cambridge and the company put in \$30 million and how many jobs did it create? Fifty?

**Interjection:** Fifty-five.

**Mr Mahoney:** Oh, 55, I'm sorry; \$31 million for 55 jobs. I'll tell you, I've got to congratulate you for that one. That's just a kicker. Let me tell you, everybody in the province is now running out to buy a new car. Everyone's so excited about the positive news this

government has put out and about the positive impact you've given the consumers that they're going to loosen the chains on their wallets and they're going to start spending—not.

**Mr Abel:** Don't downplay that.

**Mr Mahoney:** Well, they're not doing it. If that's the best you can do, then let's go to the people and find out how they want someone else to do things, but I doubt very much if you've got the courage to do that.

Instead of tinkering with labour laws and interfering with duly elected representatives in duly passed constitutions, why don't you do something about consumer confidence? Why don't you send some messages out to small business that you want to help them get started in new ideas? Why don't you get serious about training and readjustment programs instead of standing up and putting fancy titles on it and not delivering any jobs to the marketplace?

There are so many things you could be doing. Why don't you reform workers' compensation? That alone would send a message to the private sector, to small business, to the injured workers, to everybody involved in industry, that this government really does care about some of the problems that exist in industrialized Ontario.

**Mr Abel:** We do, and you know it.

**Mr Mahoney:** Well, why don't you do something about it? You have an opportunity to bring in reforms to a system that is in rot in workers' compensation, and instead you bring in Bill 80.

Here's a letter from Pat Dillon. We all know Pat, eh, everybody over there? The minister knows Patrick. Maybe he's just kidding me in this letter; I don't know. It's a letter addressed to Joe Maloney and it's from Pat Dillon. For the public, he's the president of the Provincial Building and Construction Trades Council of Ontario. He says:

"As president of the Provincial Building and Construction Trades Council of Ontario, please accept my disappointment in not being available to attend this morning's press conference. The position of the provincial building trades council"—Minister, maybe you didn't hear this from Pat, so I'd like you to hear it from me—"during our last convention was of total opposition towards Bill 80. At this same convention, the delegates gave me the authority to negotiate with the Minister of Labour amendments to Bill 80 that would be acceptable to the workers of Ontario that we represent."

Could they be the amendments that the minister floated by my desk about 10 minutes before this debate? I don't know. Maybe the critic for the Conservative Party has had a chance to read them and find out; I don't know if they are or not. I've been instructed through points of order to the Chair that we're not allowed to talk about your amendments; that the cour-

tesy you did of springing them on us with 10 minutes to go before the debate was indeed not a courtesy, may have in fact been out of order and at best was shoddy treatment of opposition critics, who have a responsibility to take the time to study amendments like that and to research their impact. But I don't know; is that the deal that you cooked with Patrick Dillon? Maybe you did; maybe you didn't. Maybe Joe knows. Are those the deals? I don't know. But here they are; here are the amendments.

Here he goes. He says: "However, in the only meeting"—here's your consultation, Minister, that you're so proud of—"of consultation we had with the Minister of Labour since our convention, it is my personal opinion"—this is hard to read. This is hard for the president of the Provincial Building and Construction Trades Council saying this about an NDP member, never mind the Minister of Labour—"that the minister is more committed to passing his personal political agenda, Bill 80, than he is of truly listening to the concerns of the majority of unionized construction workers as expressed through our convention and by duly elected officials of the Provincial Building and Construction Trades Council of Ontario."

**Mr Abel:** That's not what the proponents of Bill 80 say.

**Mr Mahoney:** I don't have any letters from proponents of Bill 80. Maybe that should tell you something.

**Mr Abel:** I have some.

**Mr Mahoney:** Well, you can get up and read them if you like. This is Patrick Dillon, Provincial Building and Construction Trades Council of Ontario, the president. I have to assume there are proponents of Bill 80. I hope this wasn't some cockamamy thing you guys dreamed up at one of your caucus retreats when you were trying to figure out how to get on with governing this province, so I would hope that we're going to hear from somebody who supports this bill. I haven't.

**Mr Abel:** I have.

**Mr Mahoney:** Well, I haven't; there's nothing here. I wonder if you've heard from these guys. Is Patrick Dillon a liar?

**Mr Abel:** This is not a game.

**Mr Mahoney:** Well, is he? I'm asking you.

**Hon Mr Mackenzie:** Totally uncalled-for comment.

1640

**Mr Mahoney:** What? I'm asking you a question. Is Patrick Dillon a liar? I don't think he is. You're saying that you've done all this consultation, Minister. You're saying you've done all of this. Patrick Dillon says you haven't. Which one of you is telling the truth? He put it in writing. You don't like that? Tough. I'm sure you don't like it. I wouldn't like it if my constituents started writing letters disputing everything I said and sending copies to members of the government so you could

stand up and embarrass me. I would not like that, I can assure you. I would not like it, I've got to tell you.

*Interjection.*

**Mr Mahoney:** I can appreciate how the Minister of Labour now is being boosted by the minister of elevators. You should be concerned too, Minister, because there are members of the elevator union who are involved in this, who have written, somewhere in all of this—look at all of this stuff—a letter from those guys saying they don't like Bill 80 either. Maybe they haven't talked to Marilyn Churley, the minister. I don't know. You guys are going to get a chance.

The minister could have stood up in his opening remarks and he could have read a retraction by Patrick Dillon and I would not have had to read the statement in here that Patrick makes about the minister.

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** Did he force you to read that letter?

**Mr Mahoney:** No, he didn't force me; not at all. But why wouldn't I read the letter? By the way, it's dated October 4. Imagine that. This is not an old one. Let me be clear: This is not one that the minister could stand up and say, "Well, just a minute now, I've got a retraction," unless it's on your desk now. This is dated October 4, 1993. What's the date today? I think it's October 4—still warm, that paper; still warm.

The Millwright District Council of Ontario comprises eight millwright local unions throughout the province, all of which, including the council, are affiliated with the United Brotherhood of Carpenters and Joiners of America, another international affiliation. On July 16, 1992—this is dated September 24, just last week; the paper has cooled off but it's pretty current—this council addressed a communication to the Honourable Robert Mackenzie, Minister of Labour for the province of Ontario, condemning Bill 80 in its entirety. That's not mealy-mouthed. That's not like, "Gosh, golly, we don't like a couple of the things in there." They condemned the entire piece of legislation.

There it is. It's signed by Harry Carruthers. Is Harry telling the truth, folks? What do you think? I think he is. It's not very old. He says, "Our membership has found no reason to change its opinion in the past 14 months. We still condemn this bill."

"Harry Carruthers,  
Secretary-Treasurer,  
Millwright District Council of Ontario."

Here we have, "All members of the Legislative Assembly"; you would all have received this from the Building and Construction Trades Department, AFL-CIO, signed by Joseph Maloney, assistant to the executive secretary, joining us in this debate today. He says here, "Delegates to the three federations that represent construction workers in Ontario,"—I think he'd be the

first guy to say that he used to think you represented them. But you don't represent them any more. You've bailed out on them. You've told them to go on their own—"namely, the national Building and Construction Trades Department, the Ontario Provincial Building and Construction Trades Council and the Canadian Federation of Labour, Ontario Council, have officially opposed Bill 80 through convention action."

The regional Building Trades Council has gone on record as opposing this legislation. "Thirteen out of 15 bargaining agencies, representing 85%"—if this doesn't get you guys, I don't know what does—"of construction workers in Ontario, have also gone on record as opposing Bill 80. On behalf of the national building trades, I urge you to please give this consideration when making your decision."

It's to you he's talking. He wants some of you to vote against the government on Bill 80. You won't bring the government down. It won't be a confidence motion. You'll be able to support the men and women in the trade union movement in construction by telling Bob Mackenzie, "No way to Bill 80," if you've got the guts to do it. You won't get in cabinet if you do it, but you haven't got that much longer to be here, so cabinet: I wouldn't worry about it. I think your day is done. So you've got a chance. Think of this: A lot of these guys in the union movement control jobs; a lot of them control economies; they control organizations. Just maybe some of you, if you've got the guts to vote against this man and his bill, can get a job with him; maybe.

They're asking you in this letter, based on the support of 85% of construction workers in Ontario, to vote against Bill 80. Once again I say to you, you will not defeat the government. You might end up getting the Labour minister changed. It's clearly an opportunity for you to say: "Well, labour movement, we're sorry for all of this nonsense. We're sorry for all the heartache we've caused you. We want your union dues coming back to us to help support us in the next election. We might want a job if we don't make it in the next election. We're going to vote against Bill 80 because we think it's wrong."

There's only one or two of you who've got the courage to do that that I've seen so far, but maybe there's more.

**The Acting Speaker:** Would the member please address the Chair.

**Mr Mahoney:** Madam Speaker, maybe there's more, so there's some hope. This is a plea from Joe Maloney and it says: "Construction workers"—this is so important, Minister of Labour, minister of unemployment—"in Ontario want jobs, not Bill 80. Let's work together to make this happen." Oh, I know, doesn't that just bring a tear to your little eye and a lump to your throat?

That's Joe Maloney saying that, folks. They want jobs. They don't want Bill 80. They don't want you messing in their constitutions. They don't want you telling them how to do business. They don't want you involved in internal union politics. They want you to do something for the people of Ontario. They want you to create jobs. They want you to create confidence. Let's work together. You will find, if you have the courage to do as they ask, that there may be some hope for you in a future life.

I think I have time. This is resolution 28 of this group, from the Canadian executive board, local and provincial organizations committee:

"Whereas the Ontario Minister of Labour is entertaining new proposals not previously declared as being part of the labour law reform as it affects the construction industry, and

"Whereas for over 100 years, the international union structure has provided the industry with stability that has delivered effective labour relations in the province, and

"Whereas should Bill 80 be legislated, it would seriously disrupt the construction industry and undermine sound labour relations practices in this province, and

"Whereas this legislation is discriminatory and attacks only certain international unions, namely international building and construction trades unions, Bill 80 usurps the autonomy of the building and construction trades unions where not warranted and is designed to destroy structures and create disunity and internal strife, and

"Whereas volumes of letters from local unions of all affiliated organizations, from provincial councils, from provincial bargaining structures, from provincial trades councils and from employer groups have been received in the Canadian office, irrefutably opposed to this proposed legislation,

"Therefore be it resolved that the delegates to the seventh Canadian convention support the Canadian and executive board of the building and construction trades department in its effort to ensure that the Ontario government cease and desist from giving further consideration to Bill 80, a bill that will weaken and ultimately decimate the construction industry."

Is Joe Maloney telling the truth? I think he is. I don't think you're listening. I think it's a travesty. You're ignoring the people who put you where you are. You have turned against them and they're not going to forget it. Minister, you've got a chance. Withdraw the bill, strike a committee and let's do something to solve the problems.

**1650**

**The Acting Speaker:** I thank the member for his contribution to the debate. Now we have time for questions and/or comments.

**Mr Mike Cooper (Kitchener-Wilmot):** The member raises a number of issues and it's going to be tough to respond to them, but I'm sure some of these other issues have come up with other speakers in the debate, but a couple of ones I wanted to discuss are, first, the support for the bill. A number of unions are on record as supporting the bill. We have the Toronto-Central Ontario Building and Construction Trades Council, representing 60,000 workers; the London and District Building and Construction Trades Council; the Ontario Sheet Metal Workers' and Roofers' Conference; several locals of the Bricklayers; IBEW; Labourers, Operating Engineers; and a number of unionists who have come forward saying that their local supports the bill but they've been afraid to state that publicly because of the fear of reprisals from the international parents.

As for examples for the reason for this bill, just to bring forward a couple of cases: trusteeship imposed on Labourers' Local 506, Toronto, to prevent the defeat of an international support candidate in local elections by a reform candidate, and trusteeship imposed on Labourers' Local 1059, London, where the local filed charges against the local business manager for using fraud to gain election, and with that tried to remove him from office. The international imposed trusteeship and fined the local executive.

As for some of the consultation, when unions come forward and say they want to consult with the minister but they're totally opposed to the bill, how can you have consultation when they come in with a straight answer that they don't want to consult on it, that they just want us to get rid of the bill? That's not consultation, so there's no sense in their meeting with the minister. The minister and his staff have met with a number of locals that have come out in favour of this bill, and that's true consultation. As the minister stated in his opening remarks, there are probably going to be some changes brought forward in the committee stage and there will be amendments to this bill.

As for one other thing on Bill 80, the resolution of jurisdictional disputes, you shouldn't confuse the issue by talking about disputes between the trades and the issue of disputes within a single trade. Bill 80 only deals with a parent international.

**The Acting Speaker:** I thank the member for Kitchener-Wilmot for his contribution. Further questions and/or comments? Seeing none, the member for Mississauga West has two minutes to respond.

**Mr Mahoney:** I thank the member for his response. It's the first time I've heard of any examples. I asked for examples. I don't know the details of them. Members of the unions have asked for examples, and we'd like to sit down and they would like to sit down and discuss those examples. Why wouldn't you do it that way? That's exactly what we've been asking for all along in this, and I hear it—

**Mr Abel:** Do your homework.

**Mr Mahoney:** Believe me, I've got lots of homework done on this one. I just heard the NDP's understanding and I've heard what they mean by consultation: "If you agree with us, we'll consult with you." That's what you said. You said, "The people who wanted to talk to the minister didn't agree with him on the bill, so what's the point of talking to them?"

**Hon Ms Churley:** That's not what he meant.

**Mr Mahoney:** That may not be what he meant. I can only go by what I hear, and I saw his lips moving and I know it's in Hansard, and that's what he said. You know what? Even if that isn't what he meant, let me tell you, that's what people think. That's what the people in the Boilermakers and the CFL and the Electrical Workers and all of these people think, that unless they come in sort of cap in hand and say: "Gee, gosh, golly. Hi, Bob. We agree with what you're trying to do. It's really good stuff. Now can we have some input into it?"—they think that's how they have to operate.

They're not going to be hypocrites, because they don't agree with it. They had very legitimate reasons for not agreeing, and so what happens? You say the minister says, "I can't possibly change these guys' minds, so I'm not going to listen to them." Well, Coop, I'm sorry, but that's what you said, and that clearly is wrong. Listen to them. You don't have to listen to me; listen to them. They've got some good ideas, some good suggestions. I would have thought, Minister, with your background, you would have wanted to listen to them to see if they could help out.

**The Acting Speaker:** Further speakers?

**Mrs Witmer:** It's a pleasure for me today to speak to Bill 80. Certainly, this is a bill that needs some discussion and also needs some further consultation. It was disappointing to finally hear for the first time just a few minutes ago two of the examples why Bill 80 was introduced.

Since the minister introduced the bill on June 25, 1992, I have been asking in question period: "What is the demonstrated need? What are the problems or the cases that have come to your attention to prompt you to bring in Bill 80?" Since June 25, 1992, I have not been able to get any response from the minister and I think that's most unfortunate. All he ever told me was that there had been extensive consultation which is ongoing right now with the AFL-CIO, with the internationals, with the local unions. He said, "I have met with many of them, almost all of them, on this issue and we have been trying to work out a mutually agreeable arrangement."

I can say to you, Mr Minister, that there has not been adequate consultation. It's obvious from the remarks that were made by the parliamentary assistant just a few minutes ago that the only viewpoints, the only people

who were listened to were the people who agreed with the bill and the intent of the bill.

I guess I would still submit to you that if there are problems, and obviously there are problems and things can always be made better, I don't know why it was necessary to bring in this Bill 80. I don't know why the problems could not have been resolved in a different manner, if that had been the will of the government, but that obviously was not the will of the government. I'll speak to that some more later.

I just want to say that the proposed revision that was brought in today is not the same Bill 80 that we had before us. These are not amendments. What this government has done is introduce a totally new bill, and it should have been honest enough to admit so. The reason, though, that you're going ahead with Bill 80 and not introducing a new bill is because the original bill was retroactive to June 25, 1992, except for section 3, and you want to ensure that this continues to be the date that the bill is retroactive to.

I'm totally appalled that what we have here now is a new bill. These are not amendments. In all fairness, you should have brought in a new bill and you should have allowed for adequate consultation on the bill. You also should have consulted with the opposition critics. You have been quite remiss. Any information that we have received regarding Bill 80 we have obtained from people other than yourself. For this government to talk about consultation on this particular bill—I can tell you that the unions are absolutely correct: The bill simply has not been discussed at all with anybody who doesn't agree with the government on Bill 80.

I also want to set the record straight. Although there are individuals who support Bill 80, there are many, many others who are concerned about the bill, because the minister has not been able to demonstrate a need. As I indicated, whenever I've asked questions there's been absolutely no response.

There's also a concern that it's going to contribute to chaos in the construction industry. At a time when this government and all of us should be focusing our energies on creating an environment in this province that will contribute to job creation, what we have here is a bill which is going to interfere and try to override the duly formulated constitutions of the unions.

These are some of the things that are of great concern, I can assure you, to people throughout this province.

Let's take a look at the substance of the bill. One of the problems we have with this bill is that the media and the public don't understand the bill. The minister and the government have done a very, very poor job of really identifying any problems and then suggesting solutions, so I have the media approach me saying: "Elizabeth, what is this bill all about? The ministry's

not telling us. What's the problem? What are the issues?" It's not my job to be telling the media or the public what the problems are if the minister or the ministry doesn't tell me what the problems are.

**1700**

What this bill does is attempt to amend the Ontario Labour Relations Act for the construction sector, and I think it's important that the viewing public and the media get some understanding of this bill. What Bill 80 is attempting to do is to address six major issues: (1) trade union constitutions, (2) shared bargaining rights, (3) jurisdiction, (4) interference with a local trade union, (5) successorship and (6) administration of benefit plans.

Now, let's take a look at the trade union constitutions. This is section 138.1(3). This states that in the event of a conflict the provisions in sections 138.2 to 138.7 are to prevail over the provisions in the constitution of a trade union. Well, I can tell you, Mr Minister, that unions have three concerns about that particular amendment. They believe this is an unprecedented intrusion by the government into the democratic internal affairs of trade unions. I think that is probably the most critical concern they have, and certainly it's a concern that the public needs to be aware of, because we do have the government taking this unprecedented move to intrude into the democratic internal affairs of trade unions.

They are concerned with this section because it passes to the Ontario Labour Relations Board, commonly referred to as the OLRB, the responsibility of exercising the powers contained in the affected trade unions' constitutions. We are now going to have the overburdened OLRB taking on the responsibility. They're not sure that the OLRB even has the will or the necessary expertise to take on this responsibility. Why would you give to the OLRB the responsibility of exercising the powers contained in the affected trade unions' constitutions? They certainly question why you would do that.

Their third concern is, why have you singled out only the building trades unions for this flagrant interference into the democratic internal affairs of trade unions?

Let's move now to the second issue of concern: shared bargaining rights, 138.2. This section will give local trade unions the same bargaining rights outside the ICI sector as within the sector. The minister could "require a parent trade union and its local trade unions to form a council of trade unions."

Now, you claim that this is going to bring balance and fairness to the parent-local relationship by providing greater input and involvement of the local trade unions. However, I want to tell you again about the concerns the unions have. Purchasers of construction projects which require considerable labour input over many years may lack the confidence to proceed if the international does not have control. They are also concerned that this provision divides the power and interferes with

trade union constitutions. It is unclear which partner in a trade union council would be given the authority to enforce the constitution or the minister's rule.

Let's take a look at the third major issue: the issue of jurisdiction, section 138.3.

It's interesting that the minister has elected to leave right now, because we're getting into the technical part of the bill and the government has been very careful to make sure that nobody really knows what's contained within this bill.

This area of jurisdiction "requires the consent of a local trade union before a parent trade union may alter the jurisdiction of that local. The government claims that local trade unions need to have greater input into the resolution of these matters as protection from sanctions imposed by parent unions." A parent union can currently shrink or eliminate a rebellious local by splintering its territory among neighbouring locals. However, again the unions have expressed some concerns and they have expressed five concerns that I want to deal with right now.

"The regulatory power of a parent trade union serves as a powerful deterrent to the temptation of one local trade union to lay claim to the work or territory of another. If this power is taken away, the number of disputes could increase dramatically. It is precisely this kind of uncertainty that can make the non-union option increasingly attractive to the construction purchaser.

"This provision also greatly reduces the ability of a parent trade union to ensure that the business of the local is carried out in an effective manner...."—that is, organizing new members.

"The Building and Construction Trades Department has worked hard over time to develop a system for settling jurisdictional disputes among the various international unions. This system is binding on all trade unions and employers in the industry..."

The jurisdictional provision "is in conflict with the constitutions of most of Ontario's building trades unions."

Their final concern focuses on two questions: How many local trade unions have suffered the loss or the alteration of their territorial jurisdiction in the past 20 years? Where is the evidence?

These are the types of questions that the minister has not answered. That is why there is concern as to what the demonstrated need is for this legislation. There are many people in this province who simply have not been given the answers that they were looking for. They have been given no answers, just as we in this House have been given no answers. We've simply had the minister say to us time and time again: "We're going to go ahead with Bill 80. It's needed." But why is it needed? Why could the problems that he says are present in the province not have been resolved through discussion and

consultation and worked out in a manner other than using Bill 80? The minister has never clearly given us a response to that question.

Let's go on now to another major issue: interference with a local trade union, section 138.5. This section will prevent a parent from assuming supervision of a local trade union in such a way that its autonomy is affected without just cause. Also, local trade union officials could not be penalized by a parent trade union without just cause.

The government claims that this section provides protection against reprisals and satisfies the need of local trade unions for greater autonomy. However, again, there have been some concerns raised about this section 138.5, interference with a local trade union, and these are the concerns that the unions have.

First, it is difficult to ascertain precisely what the impact of this section would be without knowing three things: One, what constitutes interference with local autonomy? No one has given us an answer. Secondly, what standards would be used to measure just cause? Again, we have no answer. Finally, who would define the standards of measurement?

So you can see that it's difficult to ascertain precisely what the impact of this section would be without knowing the answers to the three questions that I've asked: What constitutes interference with local autonomy? What standards would be used to measure just cause? Who would define the standards of measurement?

## 1710

Up until now, absolutely no one has attempted to give anybody a response to those three questions. The unions are also concerned because there are already mechanisms in place that can deal with issues such as those that section 138.5 is intended to address. "Trade unions are required by law to ensure a fair hearing by an unbiased tribunal in discipline cases. Most constitutions provide for the protection of the work and territorial jurisdiction granted the local trade union by its parent. Section 82 of the act provides additional safeguards to ensure that trusteeships are used only for their intended and indispensable purpose. Trusteeships are a tool that is essential to the parent trade union officials' ability to keep their organizations strong and effective."

Unions are also concerned because "The OLRB has been very clear in disclaiming jurisdiction over the election or replacement of officers. It has considered in the past this matter to be purely internal to the union."

"This provision again interferes with the constitutions of building trade unions."

Again I ask the question—and it's the question the unions have that are going to be impacted by this legislation. It's the question the minister has refused to answer:

"How many trusteeships have there been in this province in the past 20 years?"

"How many officers have been removed from office without just cause?"

"Is such conduct so prevalent that it justifies the placement of all building trades union constitutions under OLRB supervision?"

The unions don't think so and the minister simply has refused to respond. So there is great concern as to why he is introducing Bill 80.

Let's take a look now at the successorship provisions, section 138.6. We see that this section has now been removed from the bill, but this is what was originally stated.

"This section provides a mechanism whereby all of the locals of a parent trade union, independently or after merging with another trade union, may become a successor to the parent union." What it did was allow an Ontario local to break away from its international parent and it was allowed then to take all the local assets and the pension funds with it. "Although the parent trade union must approve the successorship and a double majority of local members is required, provision is made for the OLRB to declare a successor in a case where 'the true wishes of the members of the local trade unions respecting successorship are not likely to be ascertained.'" This would empower the OLRB to decide the fate of a large number of workers without a vote or consultation with these workers.

By the way, the same situation does exist in Bill 40. If you remember, if an employer contravenes the act, the board can automatically certify a union without the requirement that the union demonstrate that it has adequate membership support. There is no vote on that matter.

The government "claims that, unlike the situation for workers in other industries, there are currently no means by which construction industry workers can change their bargaining agents. This section is designed to redress that perceived inequity. It is important to note that the successor union need not be a building trades union."

I can tell you, that successorship provision was the most contentious issue regarding Bill 80, and there has been widespread opposition from most sectors of the construction unions.

"This section, more than any other, has the potential to undermine industry stability. This poses a serious threat to province-wide bargaining in the ICI sector. Mature bargaining relationships have been formed through years of effort, resulting in an enormous reduction in the number of individual collective agreements in the province and setting a pattern of stable bargaining for the industry."

Madam Speaker, the members of the government do not seem to be extremely interested in the presentation

and I think I'll just sit down until they are.

**The Acting Speaker:** There are several conversations going on. We would like to hear what the member for Waterloo North has to say to the floor. Would the member please continue.

**Mrs Witmer:** Thank you, Madam Speaker. This is a very contentious bill, and as I've indicated, there are two sides. I think it's very important for the government members to be listening to both sides of the argument. It's certainly something that we on this side, as members of the third party, have endeavoured to do, because we are looking for fairness and we want to make sure there is consultation with all the people who are going to be impacted by this bill.

Dealing with the successorship provision, which I have indicated has the potential to undermine the industry's stability: "This provision clearly contemplates the involvement of industrial unions. These organizations lack the background and the experience to competently deal with construction matters. Their involvement threatens existing relationships among the various" international unions "within Canada and the United States. These relationships facilitate such matters as mobility, reciprocity, transfers, training and apprenticeship, and pension plans.

"The potential exists for the eruption of intertrade rivalry if construction workers are divided among international unions, independent...trade unions and industrial unions. The number of jurisdictional disputes would undoubtedly escalate and investor confidence regarding project completion would be undermined."

You can see how devastating the impact of Bill 80 could be on the economic climate in the province of Ontario. It would reduce investor confidence, and as a result, we would see less job creation than is already happening by the private sector at the present time. So this bill and the consequences will have a very negative impact on our economy.

Again, I stress that it's unfortunate that the minister, if he does perceive there are problems, did not sit down with the individuals concerned and simply attempt to resolve them. He certainly had the power to do so.

"The successorship provisions also impose an unprecedented 365-day-per-year raiding period on building trades unions, singling them out for treatment that is totally unparalleled in any jurisdiction in Canada."

Finally: "There is irony in the fact that the perceived inequity that this section pertaining to successorship is designed to redress was created after careful consideration by a previous government in 1977 when designation orders were issued. A 1991 review" by George Adams "concluded that all parties to the province-wide ICI agreements clearly believe that the 1977 legislation has met its stated objectives."

Let's go on now to another one of the six major

issues of concern. This is the administration of benefit plans, section 138.7.

"This section would entitle a local trade union to appoint at least a majority of trustees of employment benefit plans exclusive of trustees appointed to represent employers. The government claims that this would provide proportionate control for local trade unions over the administration and use of benefit funds."

Let's take a look at the concerns that have been raised by the unions in this province that are going to be impacted by the bill. They have said, "In the case of plans which benefit trade union members in both Canada and the United States, this provision would give control to a local trade union that was vastly disproportionate in terms of the percentage of the total membership that it represents."

#### 1720

These, then, are the six major issues which Bill 80 addresses. I have attempted to define what is contained within each section, I have attempted to point out why the government appears to be supporting this section and I have attempted to point out what concerns the union movement in this province has concerning those particular sections.

It's interesting; in fact, I guess you could call it a strange turn of events that the arguments that were used by the business community in its lobby against the infamous Bill 40 are being reiterated by the union leaders in their opposition to Bill 80. There are three major points that we are hearing again and again. In fact, we hear these points regarding much of the legislation that this government introduces.

First, there is no justification, no demonstrated need for the changes, and it's true: The minister hasn't been able to give us examples.

Secondly, the minister did not consult with all the key players before he tabled Bill 80. We heard the same argument on Bill 40. It appears this minister only wants to talk to the individuals who share his commitment to make the changes. Where is the fairness? Where is the consultation? Where is that desire to listen to all the viewpoints and then come up with a bill which reflects the viewpoints of people in this province?

Finally, we are hearing that Bill 80 will have a negative impact on investment in the construction industry. Of course, we heard that during the Bill 40 debate, and today we have many examples that can certainly attest to the fact that we have lost investment in this province. There has been less job creation in this province because of Bill 40, and obviously Bill 80 could have the potential to have the same impact. It will certainly create instability and chaos within the construction industry, because we now have an industry that is widely divided on this piece of legislation, a piece of legislation that could have been dealt with by the

minister in a much more fair manner.

When the government introduced Bill 80 on June 25, 1992, it indicated and stated: "A great number of Ontario local unions have contacted the government to indicate support for the amendments to the act which foster democracy within international organizations. The government has consulted with its permanent advisory panel of union and employer representatives of the industry, the construction advisory board chaired by Victor Pathe, deputy minister, labour-management services."

I can tell you that despite these statements by the minister, despite the information sheet information, there are many union leaders in this industry who claim that they had absolutely no advance warning about the contents of Bill 80. In fact, they haven't even had an opportunity for consultation with the minister since that time because they opposed the bill and he's not interested in listening to the players who oppose the bill.

I also want to tell you that the predominant players in the construction marketplace, that is, the Building and Construction Trades Council of Ontario, were not consulted prior to the introduction of Bill 80. In fact, on August 6, 1992, the Hamilton Spectator reported that only two of the 23 labour organizations in the Hamilton-Brantford Ontario Building and Construction Trades Council, and that's within the Minister of Labour's riding, have shown any substantial support for Bill 80. We all know that at the October 24, 1992, provincial building and trades convention in Kingston the delegates supported a resolution to oppose Bill 80.

Now, in all fairness, again, I need to mention that there are individuals who do support Bill 80. I guess what we have at stake here is the future of 15 unions, representing 130,000 building trades workers and millions of dollars in union dues. That is the issue, and that is the stake.

There are people in this province, and the opposition critic alluded to this, who feel that Bob White has a role to play in all of this. I want to just share with you today the Bob White theory. How is Bob White involved with Bill 80? This is a theory that has been put forward by the union leaders and individuals who see no justification for these changes. This is what I have learned.

The building trades left the Canadian Labour Congress in the late 1970s. If you remember your history, Bob White is currently president. They believe that Bob White has convinced your government to introduce a disaffiliation amendment so that construction unions can break away from their international parent, just as the CAW broke away from its international parent under Bob White's reign. They believe that Mr White has selected some individuals within the unions to agitate for disaffiliation. This is going to end and result in splinter construction unions, which will enable Mr White to bring the unions back under the Canadian

Labour Congress umbrella. This will mean more dues for the CLC and of course more dues for the NDP.

That's the Bob White theory. I guess if this isn't true, then your government does have a responsibility to prove and to allay the fears and the rumours that are circulating. But I thought that in all fairness we needed to make you aware of the fact that this is the type of information that is being disseminated.

I'd like to deal now with some of the letters that I've received, and believe me, I have a huge stack on my desk. It's probably about that high. I couldn't possibly bring them all. In all fairness, again, there are those people who have sent faxes to me and letters who do support Bill 80. I have heard from both sides. I have another stack that represents the people who are opposed. I can tell you that stack in my office is larger. I think the critic for the opposition said he'd heard from no one who supported Bill 80. Well, I have heard from individuals who have supported Bill 80.

However, I want to deal with a letter that I received recently. The letters started coming, by the way, in 1992, and they really have not stopped. This letter is from Joe Maloney, the assistant to the executive secretary for the building and construction trades department, AFL-CIO. He writes: "There was no prior consultation with the provincial or national building trades with respect to construction labour law. We had heard rumours that something was in the works, but when we inquired of the Minister of Labour and ministry staff, the answer was 'no.' Then on June 21, 1992, Bill 80 was tabled."

### 1730

He goes on to say: "Once we had a chance to study this document we realized the chaos this would ultimately bring to the already unstable construction industry. We had several meetings with the minister on these issues. He was polite enough and said he understood, but Bill 80 was going to be a fact of life regardless."

I guess you can see that this was the type of consultation that took place.

He goes on to say, "Almost every debate on Bill 80 seemed to surround the 'successorship clause.' The government felt if maybe this clause was removed the document would be acceptable. This strategy was recognized very early in the debate when people started saying that the 'successorship section' was only there as bait in order to pass the remainder of the bill."

"Time has proven this argument correct because in June 1993, the government released a completed revised document to the Ontario Provincial Building and Construction Trades Council. This document consisted of five points, with the successorship provision being dropped.

"As well, they have included reference to the consti-

tution in the ‘Jurisdictional’ and ‘Trusteeship’ sections, but with no meaningful intent to it.”

I find it interesting that the minister did not share that same revised document with the opposition critic or with myself. As I say, the first that we knew, for real, that something was going to change, was the acceptance of the information, the proposed revisions that we received today.

In concluding, reading from the letter from Mr Maloney: “As I stated from the outset of this document, the government is attempting to override duly formulated constitutions with a direct attack on international construction unions. Their attempts at spreading democracy will create chaos and hardship for construction workers and place the construction industry in turmoil. When they modified their first version of Bill 80, they did not consult with the provincial or national building trades. Once again, we were given a document with no input. How can they turn our structure inside out without any input from those affected? If this legislation is so good, why doesn’t it apply to unions outside the construction industry?”

You see, these are the types of concerns that are being expressed by people in the province. I’d like to go on and look at a letter from the Building and Construction Trades Council of Ottawa, Hull and District.

“The Building and Construction Trades Council of Ottawa, Hull and District, at its Tuesday morning regular meeting of September 28, 1993, wish to go on record again as being opposed to Bill 80. We are fed up reading of the revised changes and this government not listening to the construction sector when we say no to Bill 80 in any form. The vast majority of construction unions do not want Bill 80 and we have been telling you this for over a year and a half.” This letter, by the way, is to the minister.

They conclude by saying, “If you intend to pass Bill 80, against the wishes of the construction unions in Ontario, then this Ottawa-Hull building trades council will not forget you at the next election and will work to put people in elected positions who listen to their constituents.”

**Mrs Yvonne O’Neill (Ottawa-Rideau):** On a point of order, Mr Speaker: With those words from Ottawa, I don’t believe there is a quorum present.

**The Acting Speaker (Mr Noble Villeneuve):** Could the clerk check for a quorum.

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**The Acting Speaker:** A quorum is now present. The honourable member for Waterloo North can resume her participation in the debate.

**Mrs Witmer:** I have another letter here from the Laborers’ International Union of North America, which

is addressed to each member of the provincial Legislature.

“We have been notified that there is a possibility that Bill 80...will go to second reading.

“Bill 80 interferes with building trade unions’ ability to govern themselves democratically. Bill 80 interferes with union constitutions and bylaws.

“Section 3 of the bill, which deals with jurisdiction, will impede many unions’ ability to successfully administer local unions’ jurisdiction. The Ontario Labour Relations Board is already swamped with cases; it certainly does not need internal local unions’ geographic and work jurisdiction disputes as well.

“This bill must be defeated. This is a very destructive and regressive bill that centres out only construction unions who have far less problems than the rest.

“I encourage you to defeat this bill and let democracy prevail.”

Isn’t it interesting that the minister has said this bill is to promote democracy, and yet some of the very people who are going to be impacted by the legislation are telling us that it goes against democracy? This letter is signed by Joseph Mancinelli.

Another letter addressed to myself, September 27 of this year, from the International Association of Heat and Frost Insulators and Asbestos Workers, Local 95. It comes from their business manager, Joe de Wit:

“We would like to reiterate our unconditional opposition to Bill 80 in its entirety. This position was arrived at by a democratically moved and seconded motion which carried by a majority vote of our membership.

“We hope that you and your party will be guided by the vast majority of building trade organizations, councils and locals, [who] have expressed opposition to this onerous and divisive bill.”

Here we have a letter dated September 22, 1993, to myself from the Ontario Allied Construction Trades Council, signed by their business manager and secretary-treasurer, John Marchildon.

“We would like to reiterate our unconditional opposition to Bill 80 in its entirety. This position was arrived at by a democratically moved and seconded motion which carried by a 12-to-1 margin.

“We hope that you and your party will be guided by the vast majority of building trades organizations, councils and locals [who] have expressed opposition to this onerous and divisive bill.”

A letter from my own community addressed to the Premier, the Honourable Bob Rae, dated September 22, 1993, comes from the International Brotherhood of Electrical Workers, Local 804, and it has been signed by Jerry Wilson, their business manager and financial secretary. Mr Mackenzie also received a copy, as did all of the local MPPs in the region of Waterloo. He writes:

"Dear Mr Premier...

"It puzzles me why such anti-labour legislation would have such a high priority when your government has so many other more important challenges to deal with.

"I realize your government and Minister of Labour have listened to some dissidents within the construction industry who have some very personal situations, and represent a small vocal minority. What you and your minister have ignored is the vast majority of the unionized construction industry who are in total opposition to Bill 80.

"My organization and the vast majority in the industry are very pleased with our affiliation to the international building trades unions, and as I write there are many Ontario members working in various locations in the United States. It is in the best interests of our members that this relationship remain status quo exclusively."

**1740**

I think that's one of the points we need to remember. There are many people who are part of the construction industry who have an opportunity now to work in the United States. They are able to move freely across the borders and get those jobs that are so desperately needed.

I read again from his letter: "Proof of the strong opposition to Bill 80 is:

"(1) The Canadian Building Trades Convention, 1992, rejected Bill 80.

"(2) The Canadian Federation of Labour, Ontario Council, 1992, rejected Bill 80.

"(3) The Ontario Building Trades Convention, 1992, rejected Bill 80.

"(4) The IBEW Construction Council of Ontario has rejected Bill 80.

"(5) Many individual locals and building trade councils have rejected Bill 80, while only a small minority support it.

"Who is the bill designed for? The government has no business intruding into local union or international union affairs or constitutions. The bill will have a horrible, destabilizing effect on the construction industry in this province. This bill will inhibit organizing, which I don't believe this government is opposed to. This bill is contrary to the Canadian Charter of Rights. This bill is a contravention of the International Labour Organization convention number 87, article 3, which states, 'Workers and employee associations shall have the right to draw up their constitutions and rules, to elect their representatives in full freedom, to organize their administration and activities, to formulate their programs.' Canada ratified the above convention in 1972."

Mr Wilson concludes by saying:

"In conclusion, for this government, that is deemed to be labour's friend, to alienate itself from the vast majority of unionized construction workers with Bill 80 is mind-boggling. We see no good, only the harm that has been pointed out. There are enough challenges and problems in the construction industry now without some uncalled for, interfering legislation adding to our challenges. This is a plea to reconsider this ill-conceived bill and withdraw it in its entirety. At the very least, I feel there should be committee hearings held throughout the province. Rest assured, if passed, this will be challenged to your government and the next." That was signed by Jerry Wilson, IBEW, Local 804.

So you can see, the individuals who have formerly supported the NDP government, who formerly believed that you were listening to their concerns, feel totally neglected on this particular piece of legislation. They believe that the government has elected to listen only to those who agree with the bill. There are some very, very legitimate concerns.

I have a letter here. Again, it's from someone in my community, the International Union of Bricklayers and Allied Craftsmen, and that is Brian Strickland. He's written quite a long letter to me and a discussion paper of Bill 80 that was presented by the Canadian Federation of Labour, Ontario Council. Again, he has expressed his opposition to the bill.

I have here a brief that I know went to the Minister of Labour on Bill 80. These people submitted it. These people are opposed to the legislation. I want you to know who these people are: the International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers; the Quality Control Council of Canada; the United Brotherhood of Carpenters and Joiners of America; the International Union of Operating Engineers; the International Union of Elevator Constructors, the International Association of Bridge, Structural and Ornamental Iron Workers, the International Brotherhood of Electrical Workers, the International Union of Bricklayers and Allied Craftsmen, the Ontario Allied Construction Trades Council and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada. These people state on page 2 of the brief:

"Bill 80 is a dangerous piece of legislation. It is dangerous both because of the specific provisions it contains and because it represents for the first time an attempt by the government of this province to legislate the internal affairs of trade unions. Virtually every section of the bill has, for some or all of the organizations who are sponsoring this brief, the potential for immense disruption within the construction industry, the consequent weakening of trade unions and the decline in representation for workers in the industry. It is not a piece of legislation we can accept on our own behalf or

on behalf of our members."

They conclude in this part by saying, "We hope you will understand the problems that Bill 80 presents and agree that the bill is ill-conceived and should be withdrawn."

They go on and they talk about intervention and the disaffiliation provision, and they really do deal with each part of the bill at great length. In fact, this document represents 32 pages of concerns, and it ends with the sentence saying, "Bill 80 was ill-conceived from the beginning and should be withdrawn."

That was a brief that I know the Minister of Labour did receive. As I say, there are 33 pages of concern, 32 if you don't count the list of the names, and I hope that the government has listened to those individuals. I hope the members on the other side have taken an opportunity to read all of the information.

I have a letter here from the IBEW that is addressed to Mr Harris. It was written November 27, 1992, and it's from Ken Woods, the international vice-president. It says:

"This letter is being written on behalf of 14,000 IBEW construction workers in Ontario, and the entire IBEW membership in Canada," 67,000 strong, "to make you aware of the most unprecedented, ill-conceived piece of legislation ever presented in the western world, Bill 80...."

"Never in the history of the free trade union movement has a government offered such a regressive piece of legislation. Bill 80 is totally biased in that it is directed at only AFL-CIO building trades unions. The industrial unions are not covered by Bill 80; as a member of the opposition, you should be asking—why?

"The proponents of Bill 80 speak with a great deal of fervour that the bill will return democracy to the building trades local unions. Notwithstanding the fact that the writer is unaware that democracy has left the building trades local unions, it has to be noted that not one of the proponents of the bill has democratically secured a mandate from their respective local unions to pursue support of Bill 80." You have to recognize that this letter was written on November 27, 1992.

"Furthermore, the official voice for building tradesmen in this province, the Provincial Building and Construction Trades Council, at its recent convention resoundingly passed a motion to oppose Bill 80 in its entirety...."

Here's another letter that came November 24, 1992, from the Canadian Federation of Labour, the Ontario Council. It is addressed to Mr Harris from Reg Conrad, the president. It's a discussion paper on Bill 80, and it expressed their opposition to the proposed amendment to the Ontario Labour Relations Act through Bill 80. Again, they do a fine job in putting forward the reasons for opposition.

They conclude by saying: "Based on the foregoing arguments, the Canadian Federation of Labour, Ontario Council, recommends that the government of Ontario withdraw Bill 80 in its entirety."

They have a 10-page presentation. Certainly, the members opposite, if you are interested in accessing all of the information that has been sent to us, I'd be pleased to make copies available to you.

1750

Finally, I'll just read one more letter from people who are opposed, and then I'm going to deal with some of the letters from people who are in favour, because I think it's important to get that on the record too.

Here's a letter to Mr Harris, December 7, 1992, from the International Association of Bridge, Structural and Ornamental Iron Workers.

"I cannot express strongly enough the devastating effect and total chaos that Bill 80 will cause in the province of Ontario.

"If Bill 80 were to become law, it would have a devastating effect on pension plans, prohibit mobility for the construction worker, not only for the province of Ontario, but virtually North America. It would also eliminate craft jurisdiction agreements that have been in place and have worked well for decades and subsequently would cause nothing but job site disruption and the probability of physical violence. Bill 80 would also allow a rating period of 365 days a year. I'm sure you would agree that with the stranglehold this economic recession has had on this province...as well as the job losses" that are anticipated, "this province does not need legislation that will throw the construction industry into further chaos, which will ultimately be with the demise of this sector.

"It goes without saying that should Bill 80 become law, the opportunity for outside capital investment would be nil, as no one would even consider investing in this province with a Labour Relations Act that would be in total chaos and completely out of control."

That letter is from James Phair, the general vice-president, and he concludes by saying: "Therefore, I implore you to do everything in your power to have Bill 80 rescinded. Trusting that you will give this your immediate attention."

I guess what I want to say at this time is that there is a lot of opposition to Bill 80. Yes, there are those who agree with the bill, but there are a lot who are opposed. This government needs to make sure, during the weeks of public debate in committee, that all of the individuals who are impacted by this legislation have an opportunity to voice their concerns. They then have a responsibility to not just go through the consultation process and say, "We've consulted," and say, "We've spent two weeks listening to people"; they need to incorporate the changes in the bill and not do what they have on so

many other occasions, simply go through the public relations exercise and then not listen to the viewpoints of the individuals who disagree with them.

Now, who's for the bill? I got a letter September 30, this year, by John Cartwright, the Toronto-Central Ontario Building and Construction Trades Council. He has indicated he represents about 5,500 members. He tells me he was disturbed by my statements in the Legislature regarding Bill 80. He goes on to say, "I would like to assure you therefore, that the Toronto-Central Ontario Building and Construction Trades Council is in support of Bill 80."

He said: "By secret ballot of the delegates, we reaffirmed support for four of the five sections in the bill, dealing with trusteeship, pensions, jurisdictional integrity of local unions, and inclusion of bargaining rights of local unions. The successorship provision was not supported and the government was so informed."

I have a letter from Local 353, International Brotherhood of Electrical Workers, dated September 30. It's a letter that I got a copy of; it went to the minister. John Morrow indicates: "I appreciate your initiative in bringing forward Bill 80. This type of legislation is long overdue in Ontario."

I have a letter from the International Union of Operating Engineers, Local 793. This individual writes to me and states, "I urge you to endorse Bill 80." He says they support the principles outlined in Bill 80; a very short little letter.

I have a letter here from George Ward, business manager of the Ontario Sheet Metal Workers' and Roofers' Conference, dated September 30, 1993:

"On behalf of the over 10,000 members of the Ontario Sheet Metal Workers' and Roofers' Conference, I (along with other trade union leaders) met with you in the fall of 1992 to urge you and your party to support Bill 80.... Since Bill 80 was introduced, the government has had extensive consultation with Ontario construction unions. What cannot be denied is that Bill 80 is about basic democratic rights.... It is about the right to freely choose which union Ontario construction union workers wish to belong to. Bill 80 simply puts control of Ontario construction unions where it belongs: in the

hands of its members in Ontario. Please support Bill 80."

A letter from Joe Kennedy, of Local 597, Labourers' International Union of North America. He simply writes to me that they support Bill 80.

Another letter, dated September 29, local union 537, Sheet Metal Workers' International Association. Fred Kneebone is the author of the letter.

"Dear Ms Witmer: I am contacting you now to ask for support from you and your party in regards to Bill 80.... Bill 80 can only help to strengthen construction unions in Ontario. Democratic unions are strong unions."

On September 29, from Local 1059 of the Labourers' International Union of North America, this letter to myself from Mr Jim MacKinnon, the business manager: "Our local union has supported the principles as provided in Bill 80.... I would request that you do not oppose the passing of this amended bill."

It's interesting. All these people seemed to know that the bill was going to be amended and seemed to have copies of the amendments. The only people who seemed to be left in the dark were the people who are going to have the opportunity to vote on the changes.

I have one more letter here, from Michael J. Reilly, a business manager. He indicates that they're very supportive of Bill 80. He says: "Our position on Bill 80 is the same today. Thanking you for your consideration."

I guess what we have here are people who are very concerned about this legislation, people who have good reasons for being concerned, reasons which need not have been there if the Minister of Labour had taken the time to adequately consult with all of the individuals concerned. Unfortunately, that was never done.

Seeing that it's 6 of the clock—

**The Acting Speaker:** I thank the honourable member for Waterloo North. When the bill is next called, she will have the opportunity to continue her participation in the debate. It now being 6 of the clock, this House stands adjourned until tomorrow, Tuesday, October 5, at 1:30 of the clock.

The House adjourned at 1800.

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

**Lieutenant Governor/Lieutenant-gouverneur:** Lt Col The Hon/L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD

**Speaker/Président:** Hon/L'hon David Warner

**Clerk/Greffier:** Claude L. DesRosiers

**Senior Clerk Assistant and Clerk of Journals/Greffier adjoint principal et Greffier des journaux:** Alex D. McFedries

**Clerk Assistant and Clerk of Committees/Greffière adjointe et Greffière des comités:** Deborah Deller

**Sergeant at Arms/Sergent d'armes:** Thomas Stelling

Member/Député(e)	Constituency/Circonscription	Party/Parti	Other responsibilities/Autres responsabilités
Abel, Donald	Wentworth North/-Nord	ND	deputy government whip / whip adjoint du gouvernement
Akande, Zanana	St Andrew-St Patrick	ND	parliamentary assistant to the Premier / adjointe parlementaire du premier ministre
<b>Allen, Hon/L'hon Richard</b>	Hamilton West/-Ouest	ND	Minister without Portfolio. Ministry of Economic Development and Trade / ministre sans portefeuille, ministère du Développement économique et du Commerce
Arnott, Ted	Wellington	PC	Vice-Chair, standing committee on estimates / Vice-Président du Comité permanent des budgets des dépenses
Beer, Charles	York North/-Nord	L	Chair, standing committee on social development / Président du Comité permanent des affaires sociales
Bisson, Gilles	Cochrane South/-Sud	ND	parliamentary assistant to Minister of Northern Development and Mines, parliamentary assistant to minister responsible for francophone affairs / adjoint parlementaire de la ministre du Développement du Nord et des Mines, adjoint parlementaire du ministre délégué aux Affaires francophones
<b>Boyd, Hon/L'hon Marion</b>	London Centre/-Centre	ND	Attorney General, minister responsible for women's issues / procureure générale, ministre déléguée à la Condition féminine
Bradley, James J.	St Catharines	L	opposition deputy House leader / chef parlementaire adjoint de l'opposition
Brown, Michael A.	Algoma-Manitoulin	L	Chair, standing committee on general government / Président du Comité permanent des affaires gouvernementales
<b>Buchanan, Hon/L'hon Elmer</b>	Hastings-Peterborough	ND	Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation
Callahan, Robert V.	Brampton South/-Sud	L	
Caplan, Elinor	Oriole	L	
Carr, Gary	Oakville South/-Sud	PC	Progressive Conservative deputy House leader / chef parlementaire adjoint du Parti progressiste-conservateur
Carter, Jenny	Peterborough	ND	parliamentary assistant to Minister of Citizenship / adjointe parlementaire de la ministre des Affaires civiques
<b>Charlton, Hon/L'hon Brian</b>	Hamilton Mountain	ND	Chair of the Management Board of Cabinet, government House leader and minister responsible for the automobile insurance review / président du Conseil de gestion, leader parlementaire du gouvernement et délégué à l'Assurance-automobile
Chiarelli, Robert	Ottawa West/-Ouest	L	
<b>Christopherson, Hon/L'hon David</b>	Hamilton Centre/-Centre	ND	Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
<b>Churley, Hon/L'hon Marilyn</b>	Riverdale	ND	Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce
Cleary, John C.	Cornwall	L	
Conway, Sean G.	Renfrew North/-Nord	L	Deputy Leader of the Opposition / chef adjoint de l'opposition
<b>Cooke, Hon/L'hon David</b>	Windsor-Riverside	ND	Minister of Education and Training, minister responsible for the Ontario Training and Adjustment Board / ministre de l'Éducation et de la Formation, ministre responsable du Conseil ontarien de formation et d'adaptation de la main-d'œuvre
Cooper, Mike	Kitchener-Wilmot	ND	parliamentary assistant to Minister of Labour; assistant government whip; Vice-Chair, standing committee on resources development / adjoint parlementaire du ministre du Travail, whip suppléant du gouvernement, Vice-Président du Comité permanent du développement des ressources
<b>Coppens, Hon/L'hon Shirley</b>	Niagara South/-Sud	ND	Minister without Portfolio. Ministry of Culture, Tourism and Recreation / ministre sans portefeuille, ministère de la Culture, du Tourisme et des Loisirs

Member/Député(e)	Constituency/Circonscription	Party/Parti	Other responsibilities/Autres responsabilités
Cordiano, Joseph	Lawrence	L	Chair, standing committee on public accounts / Président du Comité permanent des comptes publics
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne	London North/-Nord	PC	
Curling, Alvin	Scarborough North/-Nord	L	opposition deputy whip / whip adjoint de l'opposition
Dadamo, George	Windsor-Sandwich	ND	parliamentary assistant to Minister of Transportation / adjoint parlementaire du ministre des Transports
Daigeler, Hans	Nepean	L	Vice-Chair, standing committee on general government / Vice-Président du Comité permanent des affaires gouvernementales
Duignan, Noel	Halton North/-Nord	ND	parliamentary assistant to Minister of Consumer and Commercial Relations / adjoint parlementaire de la ministre de la Consommation et du Commerce
Eddy, Ron	Brant-Haldimand	L	Vice-Chair, standing committee on social development / Vice-Président du Comité permanent des affaires sociales
Elston, Murray J.	Bruce	L	opposition House leader / chef parlementaire de l'opposition
Eves, Ernie	Parry Sound	PC	Progressive Conservative House leader / chef parlementaire du Parti progressiste-conservateur
<b>Farnan, Hon/L'hon Mike</b>	Cambridge	ND	Minister without Portfolio, Ministry of Education and Training / ministre sans portefeuille, ministère de l'Éducation et de la Formation
Fawcett, Joan M.	Northumberland	L	
Ferguson, Will	Kitchener	Ind	
Fletcher, Derek	Guelph	ND	parliamentary assistant to Minister of Citizenship / adjoint parlementaire de la ministre des Affaires civiques
Frankford, Robert	Scarborough East/-Est	ND	
<b>Gigantes, Hon/L'hon Evelyn</b>	Ottawa Centre/-Centre	ND	Minister of Housing / ministre du Logement
Grandmaître, Bernard C.	Ottawa East/-Est	L	
<b>Grier, Hon/L'hon Ruth A.</b>	Etobicoke-Lakeshore	ND	Minister of Health / ministre de la Santé
Haeck, Christel	St Catharines-Brock	ND	government whip; Chair, standing committee on regulations and private bills / whip du gouvernement, Présidente du Comité permanent des règlements et des projets de loi privés
<b>Hampton, Hon/L'hon Howard</b>	Rainy River	ND	Minister of Natural Resources / ministre des Richesses naturelles
Hansen, Ron	Lincoln	ND	Chair, standing committee on the Legislative Assembly / Président du Comité permanent de l'Assemblée législative
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	ND	parliamentary assistant to Minister of Housing; Vice-Chair, standing committee on administration of justice / adjointe parlementaire de la ministre du Logement, Vice-Présidente du Comité permanent de l'administration de la justice
Harris, Michael	Nipissing	PC	leader of the Progressive Conservative Party / chef du Parti progressiste-conservateur
Haslam, Karen	Perth	ND	
Hayes, Pat	Essex-Kent	ND	parliamentary assistant to Minister of Municipal Affairs / adjoint parlementaire du ministre des Affaires municipales
Henderson, D. James	Etobicoke-Humber	L	
Hope, Randy R.	Chatham-Kent	ND	parliamentary assistant to Minister of Community and Social Services / adjoint parlementaire du ministre des Services sociaux et communautaires
Huguet, Bob	Sarnia	ND	parliamentary assistant to Minister of Environment and Energy; Chair, standing committee on resources development / adjoint parlementaire du ministre de l'Environnement et de l'Énergie. Président du Comité permanent du développement des ressources
Jackson, Cameron	Burlington South/-Sud	PC	Chair, standing committee on estimates / Président du Comité permanent des budgets des dépenses
Jamison, Norm	Norfolk	ND	parliamentary assistant to Minister of Economic Development and Trade / adjoint parlementaire de la ministre du Développement économique et du Commerce
Johnson, David	Don Mills	PC	

Member/Député(e)	Constituency/Circonscription	Party/Parti	Other responsibilities/Autres responsabilités
Johnson, Paul R.	Prince Edward-Lennox-South Hastings / Prince Edward-Lennox-Hastings-Sud	ND	parliamentary assistant to Minister of Economic Development and Trade; Chair, standing committee on finance and economic affairs / adjoint parlementaire de la ministre du Développement économique et du Commerce. Président du Comité permanent des finances et des affaires économiques
Jordan, W. Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	ND	parliamentary assistant to Minister of Agriculture and Food / adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation
Kormos, Peter	Welland-Thorold	ND	
Kwinter, Monte	Wilson Heights	L	
<b>Larkin, Hon/L'hon Frances</b>	Beaches-Woodbine	ND	Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
<b>Laughren, Hon/L'hon Floyd</b>	Nickel Belt	ND	Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Lessard, Wayne	Windsor-Walkerville	ND	parliamentary assistant to Minister of Environment and Energy / adjoint parlementaire du ministre de l'Environnement et de l'Énergie
<b>Mackenzie, Hon/L'hon Bob</b>	Hamilton East/-Est	ND	Minister of Labour / ministre du Travail
MacKinnon, Ellen	Lambton	ND	Vice-Chair, standing committee on regulations and private bills / Vice-Présidente du Comité permanent des règlements et des projets de loi privés
Mahoney, Steven W.	Mississauga West/-Ouest	L	opposition chief whip / whip en chef de l'opposition
Malkowski, Gary	York East/-Est	ND	parliamentary assistant to Minister of Education and Training / adjoint parlementaire du ministre de l'Éducation et de la Formation
Mammoliti, George	Yorkview	ND	parliamentary assistant to Solicitor General and Minister of Correctional Services / adjoint parlementaire du solliciteur général et ministre des Services correctionnels
Marchese, Rosario	Fort York	ND	parliamentary assistant to the Premier, parliamentary assistant to Minister of Intergovernmental Affairs; Chair, standing committee on administration of justice / adjoint parlementaire du premier ministre, adjoint parlementaire du ministre des Affaires intergouvernementales. Président du Comité permanent de l'administration de la justice
Marland, Margaret	Mississauga South/-Sud	PC	Chair, standing committee on government agencies / Présidente du Comité permanent des organismes gouvernementaux
<b>Martel, Hon/L'hon Shelley</b>	Sudbury East/-Est	ND	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Martin, Tony	Sault Ste Marie / Sault-Sainte-Marie	ND	parliamentary assistant to Minister of Education and Training / adjoint parlementaire du ministre de l'Éducation et de la Formation
Mathyssen, Irene	Middlesex	ND	parliamentary assistant to Minister of Environment and Energy / adjointe parlementaire du ministre de l'Environnement et de l'Énergie
McClelland, Carman	Brampton North/-Nord	L	
McGuinty, Dalton J.P.	Ottawa South/-Sud	L	
McLean, Allan K.	Simcoe East/-Est	PC	Vice-Chair, standing committee on government agencies / Vice-Président du Comité permanent des organismes gouvernementaux
McLeod, Lyn	Fort William	L	Leader of the Opposition / chef de l'opposition
Miclash, Frank	Kenora	L	opposition deputy whip / whip adjoint de l'opposition
Mills, Gord	Durham East/-Est	ND	parliamentary assistant to Solicitor General and Minister of Correctional Services / adjoint parlementaire du solliciteur général et ministre des Services correctionnels
Morin, Gilles E.	Carleton East/-Est	L	Deputy Speaker and Chair of the Committee of the Whole House / Vice-Président de la^S Chambre et Président du Comité plénier de l'Assemblée législative
Morrow, Mark	Wentworth East/-Est	ND	
Murdoch, Bill	Grey-Owen Sound	PC	

Member/Député(e)	Constituency/Circonscription	Party/Parti	Other responsibilities/Autres responsabilités
Murdock, Sharon	Sudbury	ND	parliamentary assistant to Minister of Labour / adjointe parlementaire du ministre du Travail
Murphy, Tim	St George-St David	L	
North, Peter	Elgin	Ind	
O'Connor, Larry	Durham-York	ND	parliamentary assistant to Minister of Health / adjoint parlementaire de la ministre de la Santé
O'Neil, Hugh P.	Quinte	L	
O'Neill, Yvonne	Ottawa-Rideau	L	
Offer, Steven	Mississauga North/-Nord	L	
Owens, Stephen	Scarborough Centre/-Centre	ND	parliamentary assistant to Minister of Finance / adjoint parlementaire du ministre des Finances
Perruzza, Anthony	Downsview	ND	parliamentary assistant to Chair of the Management Board of Cabinet / adjoint parlementaire du président du Conseil de gestion
<b>Philip, Hon/L'hon Ed</b>	Etobicoke-Rexdale	ND	Minister of Municipal Affairs / ministre des Affaires municipales
Phillips, Gerry	Scarborough-Agincourt	L	
<b>Pilkey, Hon/L'hon Allan</b>	Oshawa	ND	Minister without Portfolio, Ministry of Municipal Affairs / ministre sans portefeuille, ministère des Affaires municipales
Poirier, Jean	Prescott and Russell / Prescott et Russell	L	
Poole, Dianne	Eglinton	L	Vice-Chair, standing committee on public accounts / Vice-Présidente du Comité permanent des comptes publics
<b>Pouliot, Hon/L'hon Gilles</b>	Lake Nipigon/Lac-Nipigon	ND	Minister of Transportation, minister responsible for francophone affairs / ministre des Transports, ministre délégué aux Affaires francophones
<b>Rae, Hon/L'hon Bob</b>	York South/-Sud	ND	Premier, President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre, président du Conseil exécutif, ministre des Affaires gouvernementales
Ramsay, David	Timiskaming	L	
Rizzo, Tony	Oakwood	ND	government whip; Vice-Chair, standing committee on the Ombudsman / whip du gouvernement, Vice-Président du Comité permanent de l'ombudsman
Runciman, Robert W.	Leeds-Grenville	PC	Progressive Conservative chief whip / whip en chef du Parti progressiste-conservateur
Ruprecht, Tony	Parkdale	L	
<b>Silipo, Hon/L'hon Tony</b>	Dovercourt	ND	Minister of Community and Social Services / ministre des Services sociaux et communautaires
Sola, John	Mississauga East/-Est	Ind	
Sorbara, Gregory S.	York Centre/-Centre	L	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West/-Ouest	PC	
Sullivan, Barbara	Halton Centre/-Centre	L	
Sutherland, Kimble	Oxford	ND	parliamentary assistant to Minister of Finance / adjoint parlementaire du ministre des Finances
<b>Swarbrick, Hon/L'hon Anne</b>	Scarborough West/-Ouest	ND	Minister of Culture, Tourism and Recreation / ministre de la Culture, du Tourisme et des Loisirs
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	Progressive Conservative deputy whip / whip adjoint du Parti progressiste-conservateur
Villeneuve, Noble	S-D-G & East Grenville / S-D-G & Grenville-Est	PC	Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative
Ward, Brad	Brantford	ND	Minister without Portfolio, Ministry of Finance / ministre sans portefeuille, ministère des Finances
<b>Wark-Martyn, Hon/L'hon Shelley</b>	Port Arthur	ND	Minister without Portfolio, Ministry of Health / ministre sans portefeuille, ministère de la Santé
<b>Warner, Hon/L'hon David</b>	Scarborough-Ellesmere	ND	Speaker / Président

Member/Député(e)	Constituency/Circonscription	Party/Parti	Other responsibilities/Autres responsabilités
Waters, Daniel	Muskoka-Georgian Bay	ND	parliamentary assistant to Minister of Culture, Tourism and Recreation / adjoint parlementaire de la ministre de la Culture, du Tourisme et des Loisirs
Wessenger, Paul	Simcoe Centre/-Centre	ND	parliamentary assistant to Minister of Health; Vice-Chair, standing committee on the Legislative Assembly / adjoint parlementaire de la ministre de la Santé, Vice-Président du Comité permanent de l'Assemblée législative
White, Drummond	Durham Centre/-Centre	ND	parliamentary assistant to Minister of Municipal Affairs / adjoint parlementaire du ministre des Affaires municipales
<b>Wildman, Hon/L'hon Bud</b>	Algoma	ND	Minister of Environment and Energy, minister responsible for native affairs / ministre de l'Environnement et de l'Énergie, ministre délégué aux Affaires autochtones
<b>Wilson, Hon/L'hon Fred</b>	Frontenac-Addington	ND	Minister without Portfolio and chief government whip / ministre sans portefeuille et whip en chef du gouvernement
Wilson, Jim	Simcoe West/-Ouest	PC	parliamentary assistant to Minister of Education and Training / adjoint parlementaire du ministre de l'Éducation et de la Formation
Wilson, Gary	Kingston and The Islands / Kingston et Les Îles	ND	
Winninger, David	London South/-Sud	ND	parliamentary assistant to the Attorney General, parliamentary assistant to minister responsible for native affairs / adjoint parlementaire de la procureure générale, adjoint parlementaire du ministre délégué aux Affaires autochtones
Wiseman, Jim	Durham West/-Ouest	ND	parliamentary assistant to Chair of the Management Board of Cabinet; Vice-Chair, standing committee on finance and economic affairs / adjoint parlementaire du président du Conseil de gestion, Vice-Président du Comité permanent des finances et des affaires économiques
Witmer, Elizabeth	Waterloo North/-Nord	PC	parliamentary assistant to Minister of Natural Resources / adjoint parlementaire du ministre des Richesses naturelles
Wood, Len	Cochrane North/-Nord	ND	
<b>Ziemba, Hon/L'hon Elaine</b>	High Park-Swansea	ND	Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations / ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
Vacant	Essex South/-Sud		
Vacant	Victoria-Haliburton		

## **STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY COMITÉS PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

### **Administration of justice/Administration de la justice**

Chair/Président: Rosario Marchese

Vice-Chair/Vice-Présidente: Margaret H. Harrington

Zanana L. Akande, Robert Chiarelli, Alvin Curling, Noel Duignan, Charles Harnick, Gary Malkowski, Gordon Mills, Tim Murphy, David Tilson, David Winninger

Clerk/Greffière: Donna Bryce

### **Estimates/Budgets des dépenses**

Chair/Président: Cameron Jackson

Vice-Chair/Vice-Président: Ted Arnott

Donald Abel, Gilles Bisson, Gary Carr, Murray J. Elston, Christel Haeck, Pat Hayes, Wayne Lessard, Steven W.

Mahoney, David Ramsay, Jim Wiseman

Clerk/Greffier: Tonia Grannum

### **Finance and economic affairs/**

#### **Finances et affaires économiques**

Chair/Président: Paul R. Johnson

Vice-Chair/Vice-Président: Jim Wiseman

Elinor Caplan, Gary Carr, W. Donald Cousens, Karen Haslam, Norm Jamison, Wayne Lessard, Monte Kwinter, Irene Mathyssen, Gerry Phillips, Kimble Sutherland

Clerk/Greffier: Lynn Mellor

### **General government/Affaires gouvernementales**

Chair/Président: Michael A. Brown

Vice-Chair/Vice-Président: Hans Daigeler

Ted Arnott, George Dadamo, Derek Fletcher, Bernard C. Grandmaître, David Johnson, George Mammoliti, Mark Morrow, Gregory S. Sorbara, Paul Wessenger, Drummond White

Clerk/Greffier: Franco Carrozza

### **Government agencies/Organismes gouvernementaux**

Chair/Présidente: Margaret Marland

Vice-Chair/Vice-Président: Allan K. McLean

James J. Bradley, Jenny Carter, John C. Cleary, Alvin Curling, Robert Frankford, Margaret H. Harrington, George Mammoliti, Rosario Marchese, Daniel Waters, Elizabeth Witmer

Clerk/Greffière: Lynn Mellor

### **Legislative Assembly/Assemblée législative**

Chair/Président: Ron Hansen

Vice-Chair/Vice-Président: Paul Wessenger

George Dadamo, Paul R. Johnson, Ellen MacKinnon, Irene Mathyssen, Carman McClelland, Gilles E. Morin, Norman W. Sterling, Barbara Sullivan, Kimble Sutherland, Noble Villeneuve

Clerk/Greffière: Lisa Freedman

### **Ombudsman**

Chair/Président: Vacant

Vice-Chair/Vice-Président: Tony Rizzo

Donald Abel, Zanana L. Akande, Mike Cooper, Karen Haslam, James Henderson, Tony Martin, Frank Miclash, Bill Murdoch, David Ramsay, Chris Stockwell, Gary Wilson

Clerk/Greffier: Todd Decker

### **Public accounts/Comptes publics**

Chair/Président: Joseph Cordiano

Vice-Chair/Vice-Présidente: Dianne Poole

Gilles Bisson, Robert V. Callahan, Noel Duignan, Robert Frankford, Margaret Marland, Tim Murphy, Larry O'Connor, Steve Owens, Anthony Perruzza, David Tilson

Clerk/Greffier: Todd Decker

### **Regulations and private bills/**

#### **Règlements et projets de loi privés**

Chair/Présidente: Christel Haeck

Vice-Chair/Vice-Présidente: Ellen MacKinnon

Ron Eddy, Derek Fletcher, Ron Hansen, Pat Hayes, David Johnson, Leo Jordan, Gordon Mills, Hugh P. O'Neil, Anthony Perruzza, Tony Ruprecht

Clerk/Greffier: Tonia Grannum

### **Resources development/Développement des ressources**

Chair/Président: Bob Huget

Vice-Chair/Vice-Président: Mike Cooper

Sean G. Conway, Joan M. Fawcett, Leo Jordan, Paul Klopp, Sharon Murdock, Steven Offer, David Turnbull, Daniel Waters, Gary Wilson, Len Wood

Clerk/Greffier: Tannis Manikel

### **Social development/Affaires sociales**

Chair/Président: Charles Beer

Vice-Chair/Vice-Président: Ron Eddy

Jenny Carter, Dianne Cunningham, Randy R. Hope, Tony Martin, Dalton McGuinty, Larry O'Connor, Yvonne O'Neill, Stephen Owens, Tony Rizzo, Jim Wilson

Clerk/Greffier: Douglas Arnott





## CONTENTS

Monday 4 October 1993

## TABLE DES MATIÈRES

Lundi 4 octobre 1993

## DEUXIÈME LECTURE

**Loi de 1993 modifiant la Loi sur les  
relations de travail, projet de loi 80.  
*M. Mackenzie* . . . . . 3207**

CAYON

XI  
-D23

No. 64



N° 64

ISSN 1180-2987

## Legislative Assembly of Ontario

Third Session, 35th Parliament

## Official Report of Debates (Hansard)

Tuesday 5 October 1993

## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

## Journal des débats (Hansard)

Mardi 5 octobre 1993



Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers

### **Hansard on your computer**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. Sent as part of the television signal on the Ontario parliamentary channel, they are received by a special decoder and converted into data that your PC can store. Using any DOS-based word processing program, you can retrieve the documents and search, print or save them. By using specific fonts and point sizes, you can replicate the formally printed version. For a brochure describing the service, call 416-325-3942.

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

### **Subscriptions**

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Lists of members**

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month. A list arranged by riding and including ministerial responsibilities appears on subsequent Mondays.

### **Le Journal des débats sur votre ordinateur**

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Ces documents, télédiffusés par la Chaîne parlementaire de l'Ontario, sont captés par un décodeur particulier et convertis en données que votre ordinateur pourra stocker. En vous servant de n'importe quel logiciel de traitement de texte basé sur le système d'exploitation à disque (DOS), vous pourrez récupérer les documents et y faire une recherche de mots, les imprimer ou les sauvegarder. L'utilisation de fontes et points de caractères convenables vous permettra reproduire la version imprimée officielle. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

### **Renseignements sur l'Index**

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

### **Abonnements**

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.

### **Listes des député(e)s**

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et dans le numéro du premier lundi de chaque mois. Par contre, une liste des circonscriptions inscrites dans un ordre alphabétique et comprenant les responsabilités ministérielles paraît tous les lundis suivants.

Tuesday 5 October 1993

The House met at 1331.

Prayers.

#### MEMBERS' STATEMENTS

##### MEALS ON WHEELS

**Mr Frank Miclash (Kenora):** I rise today to bring to the attention of the House a very important service that is going on in communities across the province. This is Meals on Wheels Week, and it was with great pleasure that I was able to partake in this program in Dryden only yesterday.

I joined Gordon and Norma Lyle of Dryden, who are volunteers from Dryden United Church, to deliver meals to Dr Danny, who is able, partially through this program, to remain in his home in Dryden. From Dr Danny's we went to the Riverview Apartments. Here we met both Mrs McGillary and Mrs Campbell, who were looking forward to our visit and their afternoon meal. From there it was back to Patricia Gardens, the minimal care institution in Dryden, to have lunch, which was the same as the one we had just delivered: the end of a very delightful morning.

I cannot say enough about this program, one which assists seniors to remain in their homes and, as importantly, one which brings the community closer together with its seniors. Allow me to congratulate those who administer and, more importantly, those who volunteer their time to make Meals on Wheels the success it is not only in Dryden but in the Kenora riding and across this province.

##### AIDS AWARENESS WEEK

**Mr Jim Wilson (Simcoe West):** On behalf of the Ontario Progressive Conservative Party, I'm pleased to rise in recognition and support of National AIDS Awareness Week in Ontario.

In communities throughout Ontario, organizers are conducting activities that range from benefit concerts, walkathons, public forums and candlelight vigils. The purpose of these events is to do what desperately needs to be done, and that's heighten awareness of one of Canada's biggest killers, HIV and AIDS. Towards this end, the slogan for National AIDS Awareness Week, "Strong Lives—Strong Communities," promotes the badly needed message that community action and partnership are keys to confronting HIV and AIDS.

While researchers and governments grope for solutions, the deadly HIV killer continues to hover like a black cloud, bringing death to thousands of people in our neighbourhoods and communities. To date, there are 8,232 reported cases of AIDS in Canada. From these cases, 40% are residents of Ontario.

While the NDP continues to issue news releases outlining the government's efforts to assist people living

with AIDS, these individuals are being denied access to essential prescription drugs. Consequently, the government is stripping people living with AIDS of their dignity by forcing them to pay for drugs or go on social assistance and welfare.

AIDS affects us all: our families, our friends and our neighbours. Therefore, we must work in partnership and with great haste to find a cure for this lethal disease. I urge all members of this assembly and all people of Ontario to lend their support in the fight against HIV and AIDS.

##### SENIORS' HEALTH INSURANCE

**Mr Robert Frankford (Scarborough East):** Health insurance costs for staying in Florida and other American states are very much on the minds of many seniors. After a recent interview in Today's Seniors publication about this problem, I've received a number of phone calls. Among them were one from a man in his 60s who told me he was receiving regular checkups for bladder cancer, and another from a fit and active gentleman aged 87. Both, of course, find insurance prohibitive and are unable to continue their normal winter travels.

We should be looking for solutions for this situation which affects many people across the province. Could there not be reciprocal coverage between Ontario and Florida health plans? Taking into account the significant contribution that our visitors make to the Florida economy, this may not be such an unrealistic proposal. The state neither wants to deter visitors nor to take the risk of having to take care of any more uninsured than it is currently potentially liable for among its own citizens. I have not been able to discern what President Clinton's health reforms will provide for Americans when they travel. I believe that in the long term, reciprocity arrangements are inevitable.

It's a real burden to seniors to shop for insurance, with its unpredictable costs, and difficult to understand all the exclusions. The response to the Today's Seniors article shows me how much demand there is for something to be done.

I'd be glad to keep on receiving calls at 281-2787. Members of the public might like to know that the Florida Department of Commerce office in Toronto can be reached at 926-1590.

##### PLANT CLOSURE

**Mr Murray J. Elston (Bruce):** I've a statement today that deals with the loss of jobs, not only in the Bruce riding but also in the Grey-Owen Sound riding of my colleague, Mr Murdoch.

It deals with the closing down of North American Furniture Group. It has to deal with the laying off of more than 100 people who have worked and given their

all over the last two and a half years to try and make that furniture company go. It deals with a group of people who now feel the hurt and the pain that is associated with being part of the ownership group that came to save a company that had been left discarded over two years ago, along with so many other of the manufacturing operations in this province of ours.

The people who work there and gave their all on the line are now hurting because the Ontario Development Corp, as part of the group that was supporting them, has walked away even though they have a whole group of outstanding orders to fill. They are hurt because they've seen the Premier of this province go and visit the grand announcement of 50 new jobs in Cambridge, but he doesn't seem to have the time to come and speak and talk to the people, over 100, who have lost their jobs, because people have decided to walk away from these very honest and diligently working people.

Something is wrong when the Premier can take a day and go to Cambridge for 50 new jobs, but he cannot do anything with his government to save more than 100 jobs in the furniture factories of southwestern Ontario, which are devastated by the way this government is managing the affairs of the province.

#### FOREST INDUSTRY

**Mr Leo Jordan (Lanark-Renfrew):** I wish to advise this Legislative Assembly and the people of Lanark-Renfrew that the Ministry of Natural Resources, as of yesterday, scuttled 132 jobs in the village of Braeside.

Canadian Wood Products Inc was prepared to buy a sawmill in the village of Braeside until the Ministry of Natural Resources suddenly reneged on its agreement. The company established an understanding with the MNR that it could obtain a licence for the mill without crown allocations and would have to buy logs on the open market. Despite this understanding, the MNR has proceeded to use a scare tactic that would prevent the sale of logs to Canadian Wood Products.

As stated in a letter from A.J. Stewart, an official from the MNR, in his letter of September 20, "The Ministry of Natural Resources does not support the sale or processing of any Ontario crown logs in this mill" at Braeside.

The fact that the Ministry of Natural Resources stated in an open letter to the loggers that it does not support the sale of crown logs to the mill will clearly serve to instil fear in logging contractors who do not want to lose their licence from the crown.

Furthermore, I have a letter dated September 22 from the Ministry of Natural Resources which states, "Logs coming from crown sources are not to be processed in the mill." This is a clear contradiction of Mr Stewart's letter, which merely indicates that the government does not support the provision of crown logs.

I urge the Minister of Natural Resource to intercede and restore jobs to 132 families in Braeside.

1340

#### OLIVER HODGES

**Ms Jenny Carter (Peterborough):** I want to pay tribute to Mr Oliver Hodges of Peterborough, who died on September 16 in his 79th year.

Oliver Hodges devoted his entire life to the labour and trade union movement and to making this a better and more peaceful world for all. He followed respectfully in the footsteps of J.S. Woodsworth and Tommy Douglas. He was a proud CCF municipal and provincial candidate in London and Hamilton in the 1940s, and in 1965 was the Ontario riding's NDP federal candidate.

His labour career spanned four decades, including 11 years, 1954 to 1965, as Canadian director, international executive board member of the United Glass and Ceramic Workers of North America, AFL-CIO, CLC. He was appointed to the Ontario Labour Relations Board in 1967 by the Ontario Federation of Labour, and served as a member until his retirement in 1982 when he came to Peterborough.

He was founding treasurer of the Peterborough Community Legal Centre and was an officer and member of the Peterborough NDP Provincial Constituency Association from 1984 to 1993, and also served a term as chair of Kawartha Ploughshares during the mid-1980s. I worked with him in all these groups.

Oliver was a loving husband, father and grandfather and a kind, unselfish and gentle man. He made a difference. We shall miss him.

#### POLITICAL PARTY LEADERS

**Mrs Elinor Caplan (Oriole):** Since the Legislature recessed early last August, the people of Ontario have had an opportunity to see how the leaders of Ontario's three political parties spent their summer.

Ontarians watched as Lyn McLeod met concerned residents all across this province, we heard about Bob Rae's trout fishing at his cottage, and we saw Mike Harris making all sorts of new friends. One of Mike Harris's new friends appears to be Kim Campbell, Prime Minister of Canada and leader of the Progressive Conservative Party of Canada.

Only months ago, I remember hearing from Mike Harris that he wasn't sure he was going to endorse or support Kim Campbell. When the leader of Ontario's Tories made that statement, I thought it meant he'd be endorsing Preston Manning, whose policies he seems to be endorsing, particularly Manning's policies on medicare. When I heard that Mike Harris was now going to support Kim Campbell, I made up a list of reasons for this sudden change of mind.

Could it be that Kim Campbell's optimistic view on jobs and job creation and unemployment—she said, "Call me in the year 2000." Is that what Mike Harris is

supporting? Does he want to be her man in Ontario since there's so little representation in her federal cabinet, or does Mike want to convince Kim Campbell that user fees are really good, good, good for medicare, even when every health policy expert says that medicare user fees would destroy our system and are bad, bad, bad?

I'd like to tell Mike he only has till October 25 to change his mind and vote for Jean Chrétien and the Liberals.

#### FOOD DRIVE

**Mr Cameron Jackson (Burlington South):** Burlington Food Share is a coalition of Burlington-area food bank agencies serving the needy in our community, and includes the Salvation Army Family Services, St Vincent de Paul, the Burlington East Emergency Fund and Food Bank and the Partnership West Family Services.

The coalition exists to coordinate ongoing, community-wide efforts to assist the increasing numbers of needy children and their families, the tragic casualties of the recession. On Friday, October 1, Burlington Food Share marked the beginning of its third annual Thanksgiving food drive that runs until Monday, October 11.

During last year's drive, the coalition collected 95,000 pounds of food, thanks to the solid support given by community-spirited individuals and companies. The Cumis Group Ltd is a company serving the credit union and caisse populaire systems. On its 140-acre Burlington property there is an apple orchard which the company continues to maintain. Yesterday, the Cumis Group dedicated its apple yield to local community groups such as Burlington Food Share during a fun-filled, apple-picking event with the participation of the CEO, Michael Kitchen, the senior vice-president, Jim Barr, and representatives of all levels of government.

As the chairman of Burlington Food Share, I should like to take this opportunity to publicly thank the Cumis Group for its kind generosity in donating its apple harvest to the Thanksgiving food drive. Cumis has shown that different groups and sectors in society can work together cooperatively to assist those in need. I would also like to encourage everyone to participate in your area food drives at Thanksgiving to help bring to the less fortunate the hope and happiness which comes from knowing that there are those ready to help in this time of need.

#### TOBACCO SMUGGLING

**Mr Gordon Mills (Durham East):** I stood in my place on Thursday last week and listened to the member for Renfrew North go nuts and berate the Minister of Finance about smuggling. He attacked him unmercifully. I want to stand in my place today and speak about the 15 years I was engaged in catching the smugglers and the cheats for the governments over there.

When the Conservatives were in, we started off with three people. Then they saw the light; we went to five. When the Liberals came to power, we had 30 people engaged.

I want to talk to the member for Cornwall. I stopped a truck on Highway 401 that was loaded with cigarettes from the member for Cornwall's riding that was en route to Toronto. To the Minister of Revenue at the time, the former member for Essex South—who is now in fantasy land, and I believe he was in fantasy land when he was the Minister of Revenue as well—I said, "I've got this truck of cigarettes," and he said, "Just a minute, we've got to give them back because they're not going to Toronto; they're really going to southwestern Ontario, and it's just a transfer." Then those people over there got 30 inspectors and they said, "We've got to have a big attack on cigarette smuggling."

#### *Interjections.*

**The Speaker (Hon David Warner):** Order. The member for St George-St David.

**Mr Mills:** They didn't want to equip anyone to stop anything. That government expected us to stop trucks on the road with nothing. Then they had the gall and audacity to criticize the Minister of Finance that he doesn't know. You never know anything about nothing.

**The Speaker:** The member's time has expired. Would the member take his seat, please.

#### ORAL QUESTIONS

**Mr Murray J. Elston (Bruce):** Mr Speaker, like other days, people are supposed to be here, but they're not here on time, the ministers to whom we are supposed to be asking questions. The minister that I wished to speak to was the Minister of Health. I wonder if I could be told whether or not she is going to be coming here today. Is she?

**The Speaker (Hon David Warner):** A reasonable request from the House leader of the official opposition; can the government House leader be of any assistance to us?

**Hon Brian A. Charlton (Government House Leader):** The Minister of Health is expected to be here, and I'll have staff check right now.

**The Speaker:** Does the member wish to stand down his first question?

**Mr Elston:** Can I ask that my colleague the member for Renfrew North then proceed with his question?

**The Speaker:** Okay. Before we begin, reset the clock, please. I recognize the honourable member for Renfrew North.

#### TOBACCO SMUGGLING

**Mr Sean G. Conway (Renfrew North):** The member for Cornwall and I have been to our respective communities in southeastern Ontario this weekend, and

of course we have news to report from smugglers' alley. My first question today will be to the minister responsible for the Ontario Provincial Police.

There was a time in this province when the slogan was, "Ontario—a place to stand, a place to grow." That's now the smugglers' anthem in this province.

I have in my hand, Mr Solicitor General, a copy of an all points bulletin sent by the Canadian Coast Guard and issued recently to the residents of the Lake St Francis area of southeastern Ontario. That bulletin from the Canadian Coast Guard reads in part: "Due to the great number of non-identified motorcrafts transiting during night time at very high speed and without navigation lights, it is recommended"—by us, the Canadian Coast Guard—"that boating be avoided on Lake St Francis between sunset and sunrise. The situation is considered dangerous."

Are you, Mr Solicitor General, aware that this is the advice being offered to residents of Ontario by the Canadian Coast Guard in the Lake St Francis area of southeastern Ontario?

1350

**Hon David Christopherson (Solicitor General):** I am of course aware of the notice that was sent out, as I'm aware of the entire issue as we continue to grapple with the complexities of it. I think what the member has done is to once again do two things: one is to underscore the complexity of the issue and the fact that there are different jurisdictions.

The Coast Guard does not come under this ministry, does not come under this government; it's a federal jurisdiction. The federal government has a responsibility to provide leadership on this issue, and that is why I have said many times I think it is significant that we have a police task force made up of forces from across the various jurisdictions.

**Mr Conway:** Last Thursday in the assembly the Solicitor General indicated to me and to the House that the Ontario Provincial Police would be operating the Lancaster detachment on an around-the-clock basis. The Lancaster detachment is the front-line detachment facing smugglers' alley in the Cornwall-Charlottenburgh area. He has since issued a press release to that effect.

Saturday's Ottawa Citizen contains an interview from OPP officials at Lancaster, and those officials are quoted as saying, among other things: "We do not patrol specifically looking for smugglers. We never have, and it's not within our mandate."

Having regard to what the OPP is saying down in the Lancaster area about what is and what is not its mandate, can the Solicitor General indicate what's going on here; what specific measures he has taken to direct his and other provincial forces to deal with concerns around public safety and, I might add, around a daily loss of provincial revenue, a loss to the Treasurer of, we

estimate, at least \$650,000 a day?

The Lancaster OPP say it's not within their mandate to look out for smugglers. You stand here and say that they have been beefed up to do this very thing. Can you indicate to the people of that part of southeastern Ontario what's going on? Who's doing what? What do the people of southeastern Ontario have to expect in terms of your direction to your forces in that area?

**Hon Mr Christopherson:** If we had not taken the step that we did in ensuring that there was a coordinated effort on the part of the police, the honourable member across the way would be using the point he's raised today as the example of why we should have done that. Because, he would say, there are so many jurisdictional questions, because of the complexities of the matter—

*Interjections.*

**Hon Mr Christopherson:** Sorry, Speaker. I thought you were signalling to me.

Then he would be suggesting that those very arguments suggest that the OPP should not be working in isolation but that we should be working in concert.

I have said over and over again that the police recommended to us that, given the very points the honourable member mentions, they felt it most appropriate that they coordinate their response to this and that they make a determination on exactly the question raised: Who will be responsible for what part of our action plan? Identify the resources that are required and then ensure that each component part of the task force, of the total police effort, is meeting their need.

I've stood in my place and said that we, as a government, will do our part in ensuring that the OPP can fulfil its obligation in this coordinated police task force.

**Mr John C. Cleary (Cornwall):** My question is to the same minister. This government issues hunting and fishing licences, and the revenues build up the provincial coffers. I want to give you one of the instances where one of our local fishermen was fishing on Lake St Francis. Our sportsman was told that he was in smugglers' alley and that he'd better move his boat out of the way. When he didn't, the smuggler circled his boat with a high-speed boat, filling it with water, and my constituent nearly drowned.

Minister, what should I tell my constituents who simply want to fish and hunt in safety?

**Mr Noble Villeneuve (S-D-G & East Grenville):** Tell them to learn how to swim.

**Mr Cleary:** How can the Solicitor General assure my constituent that help is on the way?

**Hon Mr Christopherson:** Unlike one member from across the way who suggested that we tell them to learn how to swim, I would suggest the honourable member suggest that he respond by identifying the action that he has taken, to which he is deserving of credit, in ensur-

ing that a local meeting was held where we brought together all the people, the leaders from the community. I think he should also point to not only the actions that he is involved in here in this Legislature in ensuring that this government is doing the role it should in responding, but he should point out to his constituents that the federal government has the overall responsibility for smuggling.

I think, as much as we need to see the OPP responding, and they will, we need to see the honourable member and all opposition members who care about this issue ensure that the federal government is taking its responsibility seriously. I've met with the federal minister. He's announced that he intends to introduce a national strategy, for this is a national problem.

I would suggest to the honourable member that he show his constituents that action is happening, that he's a part of it, but that he is also looking—and in this election campaign I think it would be an appropriate time—to the federal candidates and federal parties to provide their share of the leadership too.

#### CANCER TREATMENT

**Mr Murray J. Elston (Bruce):** In the absence of the Minister of Health, to the Premier: I have a constituent in my riding who suffers from cancer, has the prospect of having a bone marrow transplant and has been told by the people at Princess Margaret Hospital, where he is now undergoing treatment, that if he does not have that operation by late November, I think November 26, he may very well not be able to have that operation at all at Princess Margaret because of both the cutbacks in funding transfers from the province and as a result of the social contract cutbacks.

My question to the Premier is: Does he consider a bone marrow transplant to be an essential service, one that was not supposed to have been touched by his government's health funding cuts or the social contract?

**Hon Bob Rae (Premier):** I think the member knows, and I'm sure he's not oblivious to this fact, that as a bone marrow donor myself, this is an issue that obviously I have some quite strong personal feelings about and experiences of. I would say, in reply to the member, that it is the policy of this government that where a doctor determines, on the basis of every instinct and medical expertise that doctor has, that a bone marrow transplant is the best possible treatment for a patient, it is the responsibility of our medical care system—the hospital and the health insurance plan—to see that the transplant is made possible. That is the policy of the government. I don't want there to be any misunderstanding about that anywhere in the province.

Having said that, and I'm sure the honourable member would appreciate the importance of this, I can't comment on any individual case. I'm not aware of the circumstances involving any individual patient. I do know that these are difficult and emotional decisions for

doctors and for patients. I can only say to the honourable member that, as much as humanly possible, it is the policy of the government and it should be the policy of the government that any patients who, as I say, the doctors treating that patient feel would benefit from the treatment—and I think the honourable member should know the doctors have to exercise their judgement in that context, but as much as humanly possible—where that decision is made by a doctor, that decision should be made knowing that the medical insurance plan will cover that treatment. I want that to be very clear and—

**The Speaker (Hon David Warner):** Could the Premier conclude his response, please.

**Hon Mr Rae:** —I appreciate the opportunity to make that statement today.

**1400**

**Mr Elston:** That was the reason in fact I wished to speak to the Minister of Health, because I do know of the Premier's resolve and his deep feeling on this matter. I did wish to address the question to the Minister of Health, because the Princess Margaret Hospital has been told that the Ministry of Health will no longer fund the cost of finding a match for transplant patients. They have been told that they will pay a flat fee of \$5,000 when they know that if the PMH officials have to go outside the boundaries of Ontario it will cost anywhere from \$18,000 to \$30,000.

If a decision is made by the cancer treatment people in the best interests of the patient, that the match is to be found, then anything over \$5,000, which is paid only when there is a successful match found, will be absorbed by the operating budget of Princess Margaret Hospital. That means that there are one or two options, maybe three: They can discontinue doing the searches outside the boundaries, they can cut back on the number of searches, they can stop doing the same number of transplants, or they can do both.

What is it that we are to assume when the Premier says that everything humanly possible will be done and the ministry says, "You do whatever you want, but we won't pay for it," and PMH and also other hospitals around the province are told to swallow the costs the Ministry of Health used to fund?

**Hon Mr Rae:** I just want to say this directly to the honourable member: Without getting into a discussion of the question of the hospital budgets versus the health insurance plan budgets and how these questions are resolved, I want to say as Premier that it is the policy of this government that where it is determined by a doctor that a bone marrow transplant is the treatment that is medically necessary and medically required, that a patient requires and that a patient needs, the costs of that transplant are to be covered by the health insurance plan and are to be covered by the doctor.

The member has raised the question of matching from

non-relatives. I can tell the honourable member that the international bone marrow world, as I understand it, and Americans particularly, have raised the costs of the search for a match outside Canada from roughly \$18,000 to now roughly \$30,000, which is expensive. But I want to tell the honourable member that as far as I'm concerned it would not be acceptable to this government, and certainly isn't acceptable to me as Premier, to say to any patient in this province that any financial consideration would be a deterrent to their receiving what is medically necessary care.

I tell the honourable member that if that situation pertains, that situation must be changed, because it is not acceptable to me, I don't think it's acceptable to anyone in the province and I don't think it's acceptable to people out there who care about an issue that matters. Whether it's a bone marrow transplant or any other treatment that is determined by a doctor to be medically necessary, it is not acceptable that there be any financial deterrent to patients receiving that kind of care.

**Mr Elston:** I thank the Premier for that statement, because for my constituent it has taken off some of the limitations in his way to recovery. He has been told that if his operation is not scheduled before the end of November, that was the time when the bone marrow transplant program at Princess Margaret Hospital was going to be cut back, because of the very things I said and because of the very things the Premier said. I stand and applaud the Premier for taking away that financial restriction and for allowing bone marrow transplants to continue and for allowing bone marrow match searches to continue.

I ask the Premier if he will ensure that the Ministry of Health be directed immediately to send out a memorandum to all of the hospitals involved in bone marrow search and transplant programs that they are free to carry on with the business that they see as necessary in preserving the lives of their patients.

**Hon Mr Rae:** I would say to the honourable member that I want to be direct, and he'll appreciate how strongly I feel. I will certainly talk to the Minister of Health about this.

#### SMALL BUSINESS

**Mr Gary Carr (Oakville South):** My question is to the Minister of Economic Development and Trade. The minister will know that 80% of the jobs that have been created in Ontario over the last few years have not been created by the government; they've been created by small business. A recent report by the Canadian Federation of Independent Business says that the number one problem facing small business today is the taxation burden. In fact, in a report to the Fair Tax Commission they say, and I quote, "Small businesses in Ontario have experienced a virtual explosion in the numbers and levels of taxes imposed upon them." They go on to say that in a recent survey fully 90% of Ontario's small

business firms cite the total tax burden as a serious problem. It's the number one issue out there with small business.

Since small businesses are the ones that are creating 80% of the jobs, my question to you is this: Can small business hope to see some tax relief during your government's mandate?

**Hon Frances Lankin (Minister of Economic Development and Trade):** The member will know that in fact this government has taken action. We are under way with a number of initiatives with respect to small business. Quite frankly, I agree with the assertions that you have made in terms of the job creation potential of small business. That is the engine of the economy.

There is no disagreement in terms of the facts you've set out. With respect to costs in general, cost burden, because I would add to that regulatory and paper burden and those sorts of things that we are trying to address in a very proactive and concrete way, with respect to taxation I would say that the small business community I meet with talks about the combined load of taxation. There is a lot of anger about the federal GST as well as the combined GST and PST and other levels with respect to what it means for consumer confidence and corporate taxes etc.

You will know that in 1992 this government cut the corporate tax rate for small business from 10% to 9.5%. You may think that's only a small amount, but it was a previous level established by the previous government. We reduced that for small business. That put \$25 million into the hands of existing small business.

We have a number of other initiatives that we've taken with respect to filing of the employer health tax once a year. That's a cheaper process for small business. I'm sure that in your supplementary I can provide you with more information. I think the points you raised are valid. I agree with them and we actually have an action plan, which I can elaborate on for you, that I think will turn around the view of small business with respect to doing business in this province and investing more.

**Mr Ted Arnott (Wellington):** We look forward to hearing the action plan, Minister, but you also must understand that your \$2 billion in tax increases in the last budget have had a devastating effect on consumer demand in this province, which has in turn devastated small business. You also must understand that small business is the biggest creator of jobs but that it also accounts for about 50% of all employment in the province today. That is why yesterday our caucus initiated a task force on cutting red tape and growing small business.

Yesterday the Globe and Mail published a chart showing that small businesses pay bigger taxes and that as the size of the firm increases, its ratio of tax to income decreases. Why have you not addressed this

taxation inequity when small business is so vital to our economy?

1410

**Hon Ms Lankin:** Again, I would say to the member that first of all, with respect to the taxes in the last budget, let me put it to him that small business is also critically concerned about the level of the deficit in this province and that in my discussions with small business people across the province—but I'll tell you about round tables held in my own riding, where people felt that it was very important that there be a complete package of approach with respect to deficit reduction. They understood that there was going to have to be a sharing of the burden, and that included moves on the revenue side as well as expenditure cuts.

With respect to actual initiatives, I referenced the cut in corporate taxes for small business and the filing of employer health tax on an annual basis rather than the way it was before. We've taken steps to allow lenders to reduce the cost of borrowing for small business by treating interest payments as dividends for tax purposes. We have made tax moves. Let me say that in terms of clearing the burden we also have, at this point in time, a process—and there are lots of incentives for the startup of a new business—where businesses can come forward and can apply for filing for employer health tax and RST and the business names registration at one place instead of having to run around all over the province the way—

**The Speaker (Hon David Warner):** Could the minister conclude her response, please.

**Hon Ms Lankin:** —they did before. We are moving, with the cooperation of small business in the monitoring group that's been established to monitor our activities on this program, to the development of a master licensing system.

We have reviewed other jurisdictions, which your task force is going to do. We've already done that. We've looked at Washington; we've looked at a number of areas; we're moving towards establishment of a master licensing and to unified tax reporting, so that small business doesn't have to file employer health tax, WCB, corporate income tax, federal income tax—

**The Speaker:** Will the minister please conclude her response.

**Hon Ms Lankin:** —that it can be unified in one tax reporting. That's what small business wants, and we are delivering that.

**Mr Arnott:** The minister indicates that the small business sector is concerned about the deficit. That's very, very true, Minister, but the small business sector does not want higher taxes; it wants you to control your excessive spending problem. During the last eight years of Liberal and NDP government, small businesses have been hit by the costs of one policy after another.

Whether it's been Liberal payroll taxes, the NDP labour law, arbitrary increases in the minimum wage or mandatory health and safety training, the potential impact and the cumulative effect of all of these policies and regulations on small business has been ignored by you.

As a first step, will you commit to undertaking an economic impact study of any new initiative put forward by your government for the rest of your mandate?

**Hon Ms Lankin:** I find it interesting that the member picks and chooses and doesn't respond to the initiatives that I laid out. Let me say to you that what small business wants is both a reduction in taxation, which will be accomplished by the moves we've already taken and by controlling the deficit and controlling our expenditures—which this government has taken courageous steps on compared to any other previous government in this province—as well as a lifting of the regulatory burden and the paper burden.

I spelled out for you a number of initiatives that this government is taking with the small business community, sitting there responding to what it wants, responding to what all of the studies have already said needs to happen in terms of master licensing and in terms of unified tax reporting. Those are the things that will lift the regulatory burden and the paperwork.

What's the Tory answer? The consultation process. The task force plans three stages. In the first stage it plans to hold a series of meetings with major representatives of provincial and regional business associations. In the second stage the task force will meet with local business in different regions in communities across the province. In the third stage it'll draft a paper and distribute it for consultation. That task force, that committee, that study—we're acting; all you're doing is going out and organizing a mailing list for the next election. This will deliver. Don't get bought in by the Tory plan on this.

**The Speaker:** New question, the member for Simcoe West.

**Mr Jim Wilson (Simcoe West):** If the minister would like to resign and give up the government, we'd be happy to take action on behalf of small business in this province, particularly action it wants taken.

**The Speaker:** To whom is your question directed?  
HEALTH CARDS

**Mr Jim Wilson (Simcoe West):** I have a question to the Minister of Health. Yesterday, Minister, you confirmed in this House that the red and white health card system that was brought in by the Liberals was clearly brought in without any safeguards. That was and continues to be wide open to fraud and abuse.

Minister, it's clear from your response yesterday and from all the research we did, and there's agreement I think across the province, that the Liberals indeed

brought in a faulty health card system. But, Minister, I think you have continued to perpetuate the mismanagement of that system.

On July 26 I asked you about the alleged abuse of our health care system by some residents—that is, American residents—living on the Akwesasne reserve. You told me at that time that you were investigating those allegations. Can you tell this House today what the status of that investigation is?

**Hon Ruth Grier (Minister of Health):** There have been a number of meetings both with officials at Akwesasne and with the province of Quebec officials with respect to the work and the investigation the government of Quebec had begun to initiate with respect to its thoughts or suspicions that there was some misuse of its health system by residents. That is proceeding, and I can't give the member a conclusion today.

**Mr Jim Wilson:** I say to the minister that officials in your ministry have told my office that that investigation is not only complete but that a report has been sent to your office for your review and action. The results of that investigation confirm what we've suspected for quite some time, and that is that Ontario's health care system has lost precious health care dollars because of abuse by some residents of the Akwesasne reserve.

Minister, since you have the report, how many people are ripping off the system, how many dollars are involved, and why haven't you made the report public and started acting on its findings?

**Hon Mrs Grier:** If the report has been received by the ministry, I'm not aware that it has; I have certainly not yet received from my officials an evaluation and a recommendation based on any such report. That is why I am unable at this point to answer specifically the member's questions.

But let me assure him that this is an issue in which I have a very real interest. As I have told this House on many occasions, if there are in fact any cases where our health care system is being misused by people who are not eligible to use the system, action will be taken; but that action will be based on facts and on investigation, not on rumour.

**Mr Jim Wilson:** For months and months I have stood in this House and brought forward example after example of health card fraud, yet even after we brought forward a specific example, abuse occurring on the Akwesasne reserve, your ministry has completed the investigation of the Akwesasne reserve, but you, minister, have done nothing to follow up on the findings of that report. No charges have been laid and no steps have been taken to stop the abuse. You have a report that confirms that a number of people on the reserve are ripping off the system, and all you've done is shelve its findings.

Why did you authorize the investigation at Akwesasne when it is clear you haven't got the political guts to crack down on the fraud that is occurring there?

**Hon Mrs Grier:** Well, it's the first time I've been accused in this House of lacking political guts. Usually the people on the other side are complaining about strong actions taken by me and by this government in order to deal with problems in the province.

Let me assure the member that when there is information to share, with respect to the investigation on the Akwesasne reserve and our colleagues in Quebec and what action can be taken to deal with that in the long term, it will be shared.

But when the member says that he has time and time again brought to this House instances of abuse, let me remind the member that on each occasion when he has done so, he has been asked if he can furnish us with a name or an address or a number or a physician, and in all of the cases he has failed to provide anything more than rumour or hearsay.

*Interjections.*

**The Speaker (Hon David Warner):** Order. New question, the member for Mississauga North.

*Interjections.*

**The Speaker:** That was your final supplementary. On a point of privilege?

**Mr Jim Wilson:** On a point of privilege, Mr Speaker: An allegation has been made. I just remind the member that each time I brought forward a specific example, the government's own report confirmed the truthfulness of those—

**The Speaker:** Would the member take his seat, please. He knows it's not a point of privilege. There certainly is a difference of opinion, not unusual in this House. The member for Mississauga North with his question.

1420

#### HIGHWAY SAFETY

**Mr Steven Offer (Mississauga North):** I have a question to the Minister of Transportation. Minister, your Bill 47 implements the use of photo radar cameras to photograph the licence plates of speeding vehicles. You say this will make our roads safer. However, Minister, after reading through the legislation and speaking with your officials, it has been revealed that no demerit points will be issued for speeders caught by the photo radar cameras.

For the first time since demerit points have been introduced in the history of our province, speeders will not, on conviction, lose points. This does not improve road safety; it erodes safety. Your bill is a licence to speed. My question is, what justification do you have to allow drivers in this province to speed without losing points?

**Hon Gilles Pouliot (Minister of Transportation):**

One must be careful not to confuse the safety matter with a subject matter that could become lucrative. Speed kills; everyone knows this. We have an improving record. It will be used at random, will be monitored by the Ontario Provincial Police and it will be focused on people who far exceed, far surpass the speed limit, which is currently 100 kilometres an hour.

It will be done as a pilot project on Friday nights and Saturday nights. We don't have the facility under the system to identify the drivers. That's why it's called photo radar. It gets you an accurate picture of the licence plate and the vehicle owner becomes the culprit. I understand that; I believe in safety initiatives. I also believe, like my friend across the aisle probably does, or should, in any case, that Ontario's highways should and are to become the safest highways in North America.

**Mr Offer:** The pilot project that the minister has indicated is a six-month pilot project. I will tell you, Mr Speaker, through you to the minister and to members of the government, the information I have today is information that's been provided to me by the Ministry of Transportation.

You are going to be implementing a six-month pilot project starting this January, six months from January to June, when in Ontario we experience the worst road conditions and have the least amount of sunlight. In the spring, we have ongoing changes in the road conditions, and I do not want to mention the issue of graduations and proms that go on during that time period.

This is not a road safety bill; it is a tax bill. It is designed to raise money through fines only, at the sacrifice of road safety. Again I ask the minister, what justification do you have to allow drivers to speed in this province, at whatever time, throughout whatever road conditions, and upon conviction, not have to suffer the penalty of demerit points?

What justification do you have to change the way in which our roads have been made safe? You are not making them safer; you are making them less safe, and you are doing it not with respect to this bill but you are doing it to raise money.

**Hon Mr Pouliot:** I find it, to say the least, appalling that the member opposite would impute motives to the Deputy Premier and the Minister of Finance, on this minister, members of cabinet, members of caucus.

Is he in favour of speeding? A cynic would go further and say, does he feel jeopardized? We are talking about 100 kilometres an hour. I cannot stand in my place and believe for one moment that this is a money-maker. This is a safety initiative. Ours is a record of constant improvement. Photo radar is coming into play; it's got to be a pilot project. It will make our roads safer and safer and safer.

**JUSTICE SYSTEM**

**Mr Charles Harnick (Willowdale):** My question is for the Attorney General. This past summer, the Mike Harris task force on crime, justice and community safety hosted forums across the province of Ontario. The task force consistently heard the message that sentencing was too lenient for violent repeat offenders. I would like to ask the Attorney General to explain the instructions that senior officials in her ministry provide to crown attorneys when they are making submissions for the sentencing of violent repeat offenders.

**Hon Marion Boyd (Attorney General):** I think the member is well aware that the directions and the directives that are given to crown attorneys are rather general in their nature; that essentially the instruction is that these crimes be taken very seriously, that the maximum sentences within the Criminal Code be clearly part of the presentation and a reminder to the court, but that the mitigating circumstances might be different in each case; and that each of the crown attorneys is encouraged, within the facts of any particular case, within the evidence that's been brought before the court, to make sentencing recommendations that are in keeping with the deterrent effect of sentences, both the personal deterrent effect for the individual person who is convicted of a crime and also the general deterrent effect in terms of the general population.

There's no hard and fast rule for crown attorneys. That would take away from their professional discretion, which is extremely important to us, as they are the people who have heard the facts, who are familiar with the case, who know what the testimony was at that particular trial.

**Mr Harnick:** What bothers me is that you say they're given general instructions, and that if it's serious they seek the maximum. I'll tell you that last week, an individual was sentenced to three years in prison following his conviction on a charge of assault. It was the third time this individual had been convicted of violently assaulting the same woman in the last three years. He was on probation when this last offence occurred. The second assault was assault involving the use of a weapon. The assault for which he was convicted last week, the third assault, involved stabbing the woman in the face with a pencil, almost taking out her eye.

If your government is serious about providing the maximum possible protection for women, do you not believe that in cases such as this, you should be instructing crown attorneys to pursue applications to declare these individuals to be dangerous offenders?

**Hon Mrs Boyd:** There is a good deal of jurisprudence and a lot of work that has been done, a lot of it through the recent inquest in the Stephenson case, on the use of dangerous offender applications.

One of the issues the member must be aware of is

that I am not going to comment on the sentence in a particular case, as I do not know the details of that case and do not know what the crown attorney was asking for.

I would remind the member, who as a lawyer knows, that crown attorneys very often ask for longer sentences than judges give. That is up to the discretion of the bench. In the case of a dangerous offender situation, there are criteria which have been clearly set out by the court in terms of what is appropriate for a dangerous offender.

**Mr Harnick:** They didn't ask that he be declared a dangerous offender. A three-year sentence after attacking a woman three times. Bring the application.

**The Speaker (Hon David Warner):** Order, the member for Willowdale.

**Hon Mrs Boyd:** They include the kind of repeated offence; that is one issue. But they also include psychological evidence around the particular individual, and there are a number of different tests that must be met. In any application, those tests must be met or else the application would be thrown out by the court prior to sentencing. One does not overuse this very, very serious measure, which in fact incarcerates someone indefinitely. That needs to be used judiciously and sparingly for the worst cases.

#### TEACHERS' DISPUTE

**Mr Bob Huget (Sarnia):** My question is to the Minister of Education and Training. Today is day 16 of the strike in Sarnia-Lambton involving the Lambton County Board of Education and its secondary school teachers. You will know that the Education Relations Commission was in Sarnia yesterday to assist in mediating the dispute between the two parties. You will also know that, like the first meeting, this meeting ended with nothing being resolved. This is week four of this dispute, and it really means it's week eight of the dispute because of Lambton county's semestered system.

My constituents, both parents and students, are frustrated and angry. They tell me enough is enough. They think teachers should be teaching and students should be in school learning. My constituents want to know, when will you act to end this dispute?

**Hon David S. Cooke (Minister of Education and Training):** I understand the frustration and the difficulty that parents and students are experiencing in the Lambton area. I might say that knowing what I know about this dispute, there is absolutely no reason why there needs to be a labour dispute in the Lambton area right now. The issue is very clear, the solutions are very clear and the solution could be found this afternoon if both parties wanted to get back to the bargaining table and bargain seriously.

In the meantime, the Education Relations Commis-

sion continues to monitor the situation. They were involved yesterday in mediation. There is a process under the law which I think is the appropriate process that all three political parties have supported, and that process is that the Education Relations Commission determines when there is jeopardy and then it will report to me as Minister of Education.

1430

**Mr Huget:** While we all anxiously await this decision from the ERC, there are other issues that arise as a direct result of this dispute. September 1993 marked the beginning of the common curriculum and November is scheduled for province-wide testing of grade 9 students. Minister, you'll be aware that Lambton teachers have been working to rule since April 8, 1993, and probably have not received the training for these two initiatives. Have you considered the impact this will have on the Transitions program, and do you feel it's appropriate to test these students next month when this may not accurately reflect the skills of the students in Lambton county?

**Hon Mr Cooke:** It's my information that a lot of work was done in the Lambton area in terms of preparation for the implementation of a destreamed grade 9 this fall and that this issue has been adequately dealt with.

**Mr Sean G. Conway (Renfrew North):** I hear the door of the woodshed opening.

**Hon Mr Cooke:** In terms of the grade 9 province-wide test, I can assure the member and the students that flexibility will have to be worked out with the board and the teachers when the school system gets back to normal.

**Mr Chris Stockwell (Etobicoke West):** Sean Cooke is answering this question. Sean Cooke and David Conway; they are ERCing themselves to death.

**The Speaker:** The member for Etobicoke West is out of order.

**Hon Mr Cooke:** The ministry will work through those problems in terms of the timing of the test when the teachers return to the classroom and the solution has been discovered.

#### POLICE COMPLAINTS

**Mr Tim Murphy (St George-St David):** I have a question for the Attorney General. I'd like to take her back to the Audrey Smith affair. As she will recall, she intervened, as well as Clare Lewis, in the process to try to ensure that the investigation of this issue was speeded up. Audrey Smith has now gone back to Jamaica without a resolution.

I'd like to ask the Attorney General if she's aware that the first person in authority whom Audrey Smith went to to make a complaint was Clare Lewis's public complaints commission. She was told that they could not speed up the process just because she was leaving the country and that in fact it could take up to two

months before there was a resolution. Is the Attorney General aware of that and is she satisfied that is how justice is done in these kinds of public complaints?

**Hon Marion Boyd (Attorney General):** No, I was not aware of that. That was not a fact that was brought to my attention, but now that the member has brought it up, I certainly will inquire of the commission whether that was in fact the answer that was given to this woman, and if so, then I share the member's concern.

**Mr Murphy:** Frankly, I don't think that's satisfactory. We have a police complaints commission in which no one has any faith. I placed an order paper question, and the average time of resolution is now 141 days, almost five months. It is being sued because of delay. A constituent in my riding has had a case dismissed because of delay. This is entirely unsatisfactory that they're being told, "We can't do anything about it."

She's gone back to Jamaica. What are you doing? It's in your bailiwick. You should know what to do and what's happening. I ask you again, do you believe that this is what should be done, and if you're not satisfied, what are you prepared to do about it? As you know, justice delayed is justice denied, and justice is being denied in these circumstances.

**Hon Mrs Boyd:** I agree with the member that there is concern about the length of time for some of the cases, just as there are, I might add, in terms of all sorts of investigations, police investigations as well as commission investigations, in other areas. If we look across the board, these kinds of cases are in fact difficult to investigate, to get the evidence together and to present a credible case. I think the member is well aware of that.

In the particular instance, my understanding is that the investigation, the discussions with the complainant had been completed, that both the Metro Toronto Police complaints commission and the Ontario Police Commission had the information they wanted in statement form. Both were aware the woman would be leaving to return to Jamaica and indicated that they had finished with their need of talking to her in terms of the investigation. I'm sure they will be appropriate in informing her of any findings of that investigation, and if further investigation should be—

**The Speaker (Hon David Warner):** Would the minister conclude her response, please.

**Hon Mrs Boyd:** —needed, that she would be contacted appropriately.

#### TEACHERS' DISPUTE

**Mrs Dianne Cunningham (London North):** My question is to the Minister of Education. We certainly share the views of the member for Sarnia with regard to almost 7,000 students who are not in school. You said, Mr Minister—I think I am fair in quoting you—that there is no reason for a labour dispute in Sarnia. The

fact is that we have one. You also say that both parties want to settle; that would be their choice. The point is that yesterday we found out both parties don't want to settle.

You said we have a process under law, and you'd be interested to know that we asked the former minister in May 1992 if he would take a look at this process under law because there were over 100 school boards that hadn't settled in May 1992, and we could see this happening and coming before us.

My question to you today is, do you really think that the education of some 6,730 students is less important than the labour relations process, or are you going to take a firm stand and get involved and legislate this board back so the students can attend school?

**Hon David S. Cooke (Minister of Education and Training):** I really believe strongly that the legislation Tom Wells brought in in the 1970s is legislation that has worked well in the province of Ontario. My understanding and my recollection is that there have been something in the neighbourhood of 75 or 76 strikes in that entire period of time and that all of them except six have been settled at the bargaining table.

The reality is that because Conservative governments and Liberal governments and this government resist bringing in back-to-work legislation and follow the process under Bill 100, the Education Relations Commission process, free collective bargaining works and solutions are found at the bargaining table. That's where they should be found and that's what the member should be telling the teachers and the board in Lambton. Don't tell me to bring in legislation. You'd be a lot more helpful if you'd tell the teachers and the board to find a solution back in Lambton.

**Mrs Cunningham:** I think this minister ought to know that response was appropriate probably two years ago, even perhaps a year ago, but in light of the 1984 Macdonald commission's strong recommendations to review a bill that has been law in this province for over 20 years, in light of our own public accounts committee which also made that recommendation signed by the then opposition members who were NDP members, in light of the answer to this same question by the former minister who recognized that there is room for improvement in the local collective bargaining process for school boards, and school boards, including the ERC, have known this and have also made these recommendations in the last five years, the minister's answer, quite frankly, was an uninformed answer.

I would say to him today that he should go back to his bureaucrats, to his best advisers and perhaps very quickly get some good advice around what ought to be changed, because this law now is in the way of getting a solution, and the only solution is for him to step in.

I'm going to ask this question: In light of the fact that

he is not yet ready to step in today, will he go back to his senior advisers and find out just what has to be changed in that collective bargaining process, come back to this House and inform us what he's going to do about it? If he doesn't want to interfere, will he look at the legislation itself and advise us how he can help in regard to this strike in Lambton county?

**Hon Mr Cooke:** When one looks at the statistics and the success that the process has experienced over the years, the minimal number of strikes and the fact that only six of them have been dealt with through back-to-work legislation, I would suggest to the member that she's wrong. It's politically opportunistic to come up every time there's a strike and suggest that Bill 100 should be changed or that the right for teachers to strike should be taken away. I would just suggest that the member could be a lot more helpful if she wouldn't play those games.

1440

**The Speaker (Hon David Warner):** New question, the member for York East.

Point of order, the member for London North.

**Mrs Cunningham:** Mr Speaker, I don't know whether it's a point of order or privilege, but I just want the minister to know that with regard to the collective bargaining process, it doesn't matter anyway, because he made a sham of it during the most recent—

**The Speaker:** The member does not have a point of order or a point of privilege. Would the member take her seat, please.

#### MIDWIFERY

**Mr Gary Malkowski (York East):** My question is for the Minister of Health. On September 18, I attended a midwifery conference which was celebrating the accomplishments of the Midwifery Task Force of Ontario and also all the positive changes that are now happening in the field of midwifery.

In your speech that day, we were encouraged by your remarks with respect to midwives being legislated under the Regulated Health Professions Amendment Act. It may seem incredible to believe, but yes, some women are actually making a decision to wait for the legislation to pass before they start planning their families. Right now, women who choose to have a home birth using the services of trained midwives will pay between \$1,000 and \$1,500 for such services. Can the minister please tell me the current status of the midwifery program?

**Hon Ruth Grier (Minister of Health):** I attended the same celebration with the member for York East and I really appreciate his long-standing and sincere interest in the future of midwifery in the province.

I'm delighted to tell him and the other members of this House that in fact our program is moving ahead as planned and that beginning in 1994, midwifery services will be fully funded by the Ministry of Health. When

people talk about cutbacks in health services, this is a service for which women have paid from their own pockets and which in future will be part of the health care system of this province. I'm very proud about that.

Last Saturday, I had the honour of addressing the graduating class of the Michener Institute for Health Sciences. Among the graduates were 62 midwives who will be among the first midwives to be licensed in this country and in this province. I'm very proud of the initiatives that our government has taken with regard to midwifery. The regulation and the funding of this program will offer women more choices and more control—

**The Speaker (Hon David Warner):** Would the minister conclude her response, please.

**Hon Mrs Grier:** —over their pregnancies and over the birth of their children.

**Mr Malkowski:** I wish the Minister of Health congratulations. This is very, very important legislation.

#### GRANDVIEW TRAINING SCHOOL FOR GIRLS

**Mrs Yvonne O'Neill (Ottawa-Rideau):** My question is to the Attorney General and the minister responsible for women's issues. Madam Minister, your staff has been assigned to suppress a report. Legal advice has been sought. A major hearing of the freedom of information and protection of privacy commission has been held. Judgements have been rendered. Court costs have been accumulated. The judgement of everyone concerned, excepting yourself, is to release a heavily edited, 99-page report from a ministry of government on Grandview.

On behalf of the victims and indeed the taxpayers of Ontario, my question to you today is, how much has it cost the people of Ontario for you to continue to hold your position and to pay for all the appeals and all the services of those you needed to help you achieve what many consider to be a coverup of a very important report?

**Hon Marion Boyd (Attorney General and Minister Responsible for Women's Issues):** The major task of the Ministry of the Attorney General is to ensure that the integrity of the justice system is maintained. Our position on this report is very clear. We believe that the release of this report at this time will jeopardize the ongoing investigation and the charges that have already been laid in this case. It is our job to defend the system against that kind of possible infringement.

I can't answer the question in dollar terms at this particular point in time. I will tell the member that indeed we have been given leave to appeal. We will be appealing the decision of the court because we believe very firmly that the release of the report at this time could jeopardize the focus of the attention of this investigation, which is those who have allegedly perpetrated acts that all of us find deplorable.

**Mrs O'Neill:** I hope those figures will be forthcoming, because they are of great interest. It's almost three years since your government and indeed the residents of Ontario were made aware of the horrific abuse at Grandview. It's been almost a year since the words "compensation" or "funding for education and training" were brought to the floor of this Legislature, and indeed on that day I brought them.

Through an all-party debate in this Legislature on October 22, 1992, almost a year ago, unanimous agreement was reached that Grandview survivors needed more than words. They needed access to resources to rebuild their lives. They told us that very poignantly last Thursday on the steps of the Legislature.

Madam Minister, will you assure this House and indeed the survivors of Grandview who are present here today that educational opportunities and compensation are on the front burner with your government, are a priority for your government?

**Hon Mrs Boyd:** I'm very pleased and proud to say that indeed it is, and that negotiation has been ongoing. There have been staff who have been assigned to it full-time, who are working with the counsel for the group of survivors. There have been some interim measures made to try and ensure that some of the flow of compensation for counselling that has already been done has gone to those people, and I can assure the member that it is indeed a priority for us to continue to negotiate this.

I would remind the member that we are doing this as much as we can in partnership with the group that represents the survivors. We have been trying to do it in a way that reaches out to as many of those who were at Grandview as possible, a thing that is a goal that is shared, I know, by the survivors group itself. I can assure the member that I'll be pleased to report on our progress from time to time, as we agree with the survivors group that that is appropriate to do.

**Mr Cameron Jackson (Burlington South):** Very briefly, again to the same minister: On Thursday last I raised the question to the Minister of Community and Social Services in your absence. The fact is that there are still four or five unanswered deaths of inmates of this institution. The women survivors are desperately seeking information which your government is suppressing with respect to adoption, when children were physically removed from this facility from pregnant inmates.

There were abortions performed inside that facility. These women are asking for some basic counselling, some compensation and access to birth information. There are things that your government can do over and above the legal bafflegab that you've been conveying to the House this afternoon.

On behalf of the victim-survivors, will you not assist them with those legitimate requests for counselling that

has not been forthcoming in the amount that's required, and for access to information for those women so they can start rebuilding and repairing their lives?

**Hon Mrs Boyd:** Indeed, counselling has been provided and financing for counselling has been provided. That is an ongoing commitment that I have made and that the other ministers who were involved—because this is a shared responsibility between a number of ministries—have made. We will keep that commitment. I know that the Minister of Community and Social Services responded with his commitment to be of as great assistance as possible as this work goes on.

We share the concern of the member, although I must say, since these events occurred some time ago and his government was in power for at least 10 years following the events, it is surprising to us that the member from Burlington tries to sound so very, very concerned in this case when the government which his party ran for 10 years after the case did not take any action.

1450

#### VISITOR

**Mr Alvin Curling (Scarborough North):** On a point of order, Mr Speaker: I just want to bring to your attention that in the west gallery we have the mayor from Port-of-Spain, which is twinned with St Catharines, and his name is Ethelbert "Telly" Paul. I want to tell you that he has visited my colleague here in St Catharines and had a tremendous welcome, and I would like us all to welcome him here.

**The Speaker (Hon David Warner):** The member does not have a point of order. However, the guest he has introduced is certainly most welcome here.

#### CORRECTION

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** On a point of order, Mr Speaker: I wish to correct a statement I made in the House yesterday. It was in response to a question from the leader of the third party.

I made a statement with respect to Professor William Eadington from the University of Nevada, Reno. I've often told this House that the casino project has engaged a number of consultants who are experts in various aspects of the casino business. Professor Eadington is a respected academic and adviser to many of those involved in the casino business. I have been informed that Dr Eadington was paid a consulting fee for the work he has done with the Ontario casino project team, as have the others who have consulted on this project. But I'd like to assure the House, as I've done many times before, that this in no way jeopardizes the integrity of the process.

**The Speaker (Hon David Warner):** Pursuant to standing order 34(a), the member for York Mills has given notice of his dissatisfaction with the answer to his question given by the Minister of Municipal Affairs

concerning a private member's bill, vital services bylaws.

This matter will be debated today at 6 pm.

**Mr Ernie L. Eves (Parry Sound):** On a point of order, Mr Speaker: I presume what the Minister of Consumer and Commercial Relations was trying to say was that in fact our leader was right and Dr Eadington was being paid by both Harrah's and the provincial government at the same time as he was advising the provinces whether they should put Harrah's on the short list or not.

**The Speaker:** The member does not have a point of order. When members rise to correct the record, other members may choose to interpret those words as they may.

#### PETITIONS

##### EDUCATION FINANCING

**Ms Dianne Poole (Eglinton):** I have a petition that has been signed by the employees of Blessed Sacrament Catholic School, which I'd like to read into the record:

"To the Legislative Assembly of Ontario:

"Whereas the British North America Act of 1867 recognizes the right of Catholic students to a Catholic education, and in keeping with this, the province of Ontario supports two educational systems from kindergarten to grade 12/OAC; and

"Whereas the Metropolitan Separate School Board educates more than 104,000 students across Metropolitan Toronto, and whereas these students represent 30% of the total number of students in this area, yet have access to just 20% of the total residential assessment and 9.5% of the pooled corporate assessment; and

"Whereas the Metropolitan Separate School Board is able to spend \$1,678 less on each of its elementary school students and \$2,502 less on each of its secondary school students than our public school counterpart;

"We, the undersigned, petition the Legislative Assembly of Ontario to act now and restructure the way in which municipal and provincial tax dollars are apportioned so that Ontario's two principal education systems are funded not only fully, but with equity and equality."

I've signed this petition.

#### GO TRANSIT

**Mr David Tilson (Dufferin-Peel):** I have a petition addressed to the Legislative Assembly of Ontario:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows to object to the recent cuts to GO Transit bus service to Woodbridge, Kleinburg, Nobleton, Bolton, Palgrave and Highway 9:

"Whereas this will be a major inconvenience to non-drivers; and

"Whereas it will have a negative impact on the local economy; and

"Whereas the lack of transit services will increase

traffic, thereby increasing air pollution levels at a time when all levels of government are making efforts to reduce pollution and encourage public transport systems; and

"Whereas the cuts leave no alternative means of commuting in and out of Toronto during peak hours; and

"Whereas the lack of GO buses will force passengers at one of the worst economic times in Ontario history to incur extra expense finding another form of transportation,

"That the government of Ontario overturn GO Transit's decision and restore GO Transit service to Woodbridge, Kleinburg, Nobleton, Bolton, Palgrave and Highway 9."

I am in support of this petition and I have duly signed it.

#### PICKERING AIRPORT LAND

**Mr Larry O'Connor (Durham-York):** I have a petition here to the Legislative Assembly and to the Lieutenant Governor of Ontario:

"Whereas the federal government intends to dispose of surplus lands on the Pickering airport site that are agriculturally rich and environmentally sensitive; and

"Whereas the residents have not been informed of the immediacy of the federal government's plan of sale,

"We, the undersigned, petition the Legislative Assembly as follows:

"Therefore, the provincial government request that the federal Minister of the Environment of Canada conduct a review panel to ensure that the land is disposed of in an organized way, protecting the rural resources and the communities and the residents therein."

It's been signed by many people from the rural parts of Uxbridge and Stouffville. I see I've got a page here. I'll just sign it and send it down to the table.

#### LONG-TERM CARE

**Mrs Barbara Sullivan (Halton Centre):** I have a petition addressed to the Legislative Assembly of Ontario, written and presented by people from Whitby, Oshawa, Simcoe, Ingersoll, Woodstock, Tavistock, Nepean, Jarvis, Hagersville—as you can see, from all around the province, Mr Speaker. It reads as follows:

"Whereas the government of Ontario has stated that multiservice agencies, the new single local point of access for long-term care and support services, must purchase 90% of their homemaking and professional services from not-for-profit providers, therefore virtually eliminating use of commercial providers,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We protest the action to drastically reduce the service provision by commercial providers and respectfully request that the impact of this policy decision,

including a cost study, be performed before any further implementation."

I heartily concur with this petition and have affixed my name to it.

#### PICKERING AIRPORT LAND

**Mr Jim Wiseman (Durham West):** I have yet another petition signed by residents from all over southern Ontario who are calling out for fairness and justice for the people who live in the north Pickering lands.

"To the Legislature of Ontario:

"Whereas the federal government intends to dispose of surplus lands on the Pickering airport site that are agriculturally rich and environmentally sensitive; and

"Whereas the residents have not been informed of the immediacy of the federal government's sale plan;

"We, the undersigned, petition the Legislature of Ontario as follows:

"Therefore, that the provincial government of Ontario request of the federal government of Canada to initiate a public review by panel of the federal Minister of the Environment to ensure an organized disposal, protecting these rural resources and the community of residents therein."

I think it's high time that the federal government show some sensitivity to these people's needs and do what we ask and plan progressively. I put my signature to this petition.

#### HEALTH CARDS

**Mrs Elizabeth Witmer (Waterloo North):** This is to the Honourable Lieutenant Governor and the Legislative Assembly of Ontario:

"Whereas we want to retain universal health care for all Ontario people;

"We believe that loopholes in the health card system invite fraud by service providers;

"We are convinced that government employees and health care consumers are being unfairly blamed for health care fraud;

"We believe that consumer control of health cards is denied because of a paternalistic government system where costs for consultation, reports and examinations are kept secret to prevent clients from making informed choices or seeking alternative methods;

"We also believe that when we give our number to a service provider we no longer have control over how often or when it is used;

"We also believe government employees have no way of knowing:

(1) when patients change doctors;

(2) when patients leave HSO and go to CHC or a fee-for-service doctor;

(3) when service providers overbill;

#### 1500

"(4) When doctors bill for visits they have not made, especially in nursing homes where the house doctor comes once a month, asks the RN how the patients are and then sees only the residents with problems but bills for everyone, and if the doctor's recordkeeping is sloppy, they could also bill for residents who are discharged or deceased;

"(5) When OHIP is doublebilled for one procedure because elderly or incompetent doctors are allowed to keep hospital privileges and/or collect from OHIP when all their orders must be cosigned by competent doctors; and

"(6) When hospital cards and Ontario health cards are used by unauthorized users."

This has been signed by some people in my community of Waterloo North.

I have another petition here that has come to me from Marian and Ken Israel in West Montrose.

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"(1) To give ownership of health care to the consumer by devising a system that allows consumers to monitor their own health card abuse just as they monitor their own credit cards;

"(2) To recognize the fact that the potential for abuse lies with both the health care provider and the health care consumer;

"(3) To provide a health card that can be used with an addressograph and used in all hospitals and by all service providers;

"(4) Program the OHIP computer so that health card numbers list costs and charges under the name of the consumer as well as under the name of the service provider;

"(5) The computer printout of the client's record be sent to every cardholder at regular intervals with a statement of the charges incurred, with requests for change of address, health and marital status;

"(6) That statements be corrected, signed and returned within a certain period of time or the health card number would be automatically cancelled and the person would need to reapply;

"(7) That all elderly service providers honour the mandatory retirement age in Ontario and not be permitted to bill OHIP after the age of 65;

"(8) That cards be renewed like drivers' licences;

"(9) That experts from the private sector be commissioned to set up a fraudproof card system such as the banks and department stores have;

"(10) That the views and concerns of provincial Conservative leader Mike Harris re health care fraud be given an honest hearing."

That comes from the constituents in my riding of

Waterloo North.

#### CASINO GAMBLING

**Mr James J. Bradley (St Catharines):** To the Legislative Assembly of Ontario:

"Whereas the Christian is called to love of neighbour which includes a concern for the general wellbeing of society; and

"Whereas there is a direct link between the higher availability of legalized gambling and the incidence of addictive gambling (Macdonald and Macdonald, Pathological Gambling: The Problem, Treatment and Outcome, Canadian Foundation on Compulsive Gambling); and

"Whereas the damage of addiction to gambling in individuals is compounded by the damage done to families both emotionally and economically; and

"Whereas the gambling market is already saturated with various kinds of government-operated lotteries; and

"Whereas large-scale gambling activity invariably attracts criminal activity; and

"Whereas the citizens of Detroit have since 1976 on three occasions voted down the introduction of casinos into that city, each time with a larger majority than the time before;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario cease all moves to establish gambling casinos."

Since I agree with this, I will be affixing my signature to this petition.

I have another petition to do with gambling.

"To the Legislative Assembly:

"Whereas the New Democratic Party has traditionally had a commitment to family life and quality of life for all the citizens of Ontario; and

"Whereas families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas the New Democratic Party government has stated that it has had a historical concern for the poor in society who are particularly at risk each time the practice of gambling is expanded; and

"Whereas the New Democratic Party has in the past vociferously opposed the raising of moneys for the state through gambling; and

"Whereas the citizens of Ontario have not been consulted regarding the introduction of legalized gambling casinos despite the fact that such a decision is a significant change of government policy and was never part of the mandate given to the government by the people of Ontario;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government immediately cease all moves to establish gambling casinos by regulation and that appropriate legislation be introduced into the assembly along with a process which includes significant opportunities for public consultation and full public hearings as a means of allowing the citizens of Ontario to express themselves on this new and questionable initiative."

I affix my name to this petition because I agree with it.

#### GO TRANSIT

**Mr Larry O'Connor (Durham-York):** I have a petition here to the Legislative Assembly of Ontario.

"We, the undersigned, petition the Legislative Assembly of Ontario as follows to object to the recent cuts in the GO Transit service to the Stouffville-Uxbridge area;

"Whereas this will be a major inconvenience to non-drivers and will substantially increase the travelling time for all users; and

"Whereas the lack of transit services will increase traffic, thereby increasing air pollution levels at a time when all levels of government are making an effort to reduce pollution and to encourage public transportation systems; and

"Whereas the cuts will leave no alternative means of commuting in and out of Toronto for individuals with flexible work arrangements and child care commitments (the earliest train departs from downtown at 5:20 pm); and

"Whereas it will have a negative impact to the local economy; and

"Whereas the lack of GO buses will force passengers to incur extra expenses in finding and using alternative forms of transportation;

"That the government of Ontario overturn GO Transit's decision and restore GO bus service to the Stouffville-Uxbridge area."

I have affixed my name to it.

#### HEALTH CARE

**Mrs Barbara Sullivan (Halton Centre):** I have a petition to the Legislative Assembly of Ontario, clearly a result of Bill 50 as it was presented to the House, which reads as follows:

"Whereas proposals made under government's expenditure control plan and social contract initiatives regarding health care in the province of Ontario will have a devastating impact on access to and the delivery of health care; and

"Whereas these proposals will result in a severe reduction in the provision of quality health care services across the province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government of Ontario move immediately to

withdraw these proposed measures and reaffirm its commitment to rational reform of Ontario's health care system through its obligations under the 1991 Ontario Medical Association/government framework and economic agreement."

I have affixed my name to this petition.

**ROMAN CATHOLIC SCHOOLS**

**Ms Sharon Murdock (Sudbury):** I have a petition here to the Legislative Assembly.

"Whereas the Catholic teacher is and always has been the essential feature making a classroom in school 'Catholic,' and in addition to acquiring knowledge as a specified range of academic subjects, the student also learns that religious values are an important, central and fundamental aspect of a separate school education; and

"Whereas Catholic parents have the right to be assured that the religious objectives of their faith are pursued in the Catholic school system by being integrated into every aspect of school life; and

"Whereas the Catholic community firmly believes that these aims and objectives are best developed by committed teachers of the Catholic faith.

"Therefore, be it resolved that we request that section 136 of the Education Act be repealed so that the Catholic nature of separate schools in Ontario, granted to us under the British North America Act, will be preserved."

I hereto affix my signature.

**1510**

**INTRODUCTION OF BILLS**

**CITY OF KINGSTON ACT, 1993**

On motion by Mr Gary Wilson, the following bill was given first reading:

Bill Pr59, An Act respecting the City of Kingston.

**INSTITUTE OF MUNICIPAL ASSESSORS  
AMENDMENT ACT, 1993**

On motion by Mr Perruzza, the following bill was given first reading:

Bill Pr50, An Act to amend the Institute of Municipal Assessors Act, 1987.

**ORDERS OF THE DAY**

**LABOUR RELATIONS AMENDMENT ACT, 1993**

**LOI DE 1993 MODIFIANT LA LOI  
SUR LES RELATIONS DE TRAVAIL**

Resuming the adjourned debate on the motion for second reading of Bill 80, An Act to amend the Labour Relations Act / Projet de loi 80, Loi modifiant la Loi sur les relations de travail.

**The Deputy Speaker (Mr Gilles E. Morin):** I believe the member for Waterloo North still has 25 minutes to debate.

**Mrs Elizabeth Witmer (Waterloo North):** Today I plan to conclude my remarks regarding Bill 80. Bill 80

is the bill that amends the Ontario Labour Relations Act for the construction sector and addresses six major issues: trade union constitutions, shared bargaining rights, jurisdiction, interference with a local trade union, successorship and administration of benefit plans.

I indicated yesterday that there is tremendous controversy regarding this bill; in fact, there has been a very lively debate. There are those unions which of course support the bill and there are certainly many, many others which have indicated that there was not adequate consultation, that they were not involved in the discussions prior to the introduction of Bill 80 and that they have some concerns they feel the minister needs to address.

The major concern the unions which do not feel that they were adequately consulted on Bill 80 have is the fact that this legislation does intrude into the democratic internal affairs of trade unions. They feel that this is an unprecedented intrusion by a government that they always thought was very sympathetic to the trade union movement and they're most concerned about that intrusion.

Secondly, they are very concerned that this passes to the Ontario Labour Relations Board the responsibility of exercising the powers contained in the affected trade unions' constitutions. We all know that the OLRB is overburdened at the present time, and there is grave concern that the OLRB may not have the will or the necessary expertise even to take on this responsibility. Certainly for the unions that's a major concern.

Of course, the third question that they are still asking today and have continued to ask is, why have the building trade unions been singled out for this flagrant interference in the democratic internal affairs of trade unions?

These are some of the questions that have been raised now in the course of this year, 1993, and last year since the first reading of the bill in June 25, 1992. Unfortunately, the minister has never given the reason as to why the bill was introduced.

It's interesting, though, because I have received some feedback not only from the government members but also from individuals who are supportive of Bill 80. This is the type of information that I am receiving, "We can't really tell you why there's a need for Bill 80." Part of the reason is that the people are afraid to speak out or that they are afraid to vote against the international unions because they fear retribution, because they feel intimidated.

It's interesting that the NDP members are now saying themselves that during a vote that is not a secret ballot vote there is intimidation, that there can be harassment and that one of the reasons for this legislation is to deal with that particular problem. Yet when we were discussing Bill 40, the contentious labour bill, I called for

secret ballot votes for all Ontario workers, I indicated repeatedly that workers were asking me for the secret ballot opportunity, and the government said: "Oh, no, that's not necessary. There is never intimidation. There is never harassment."

I'd just like to state what I said when I introduced my bill. I said I strongly believe that if we are to have fairness and equality, as the Minister of Labour has indicated he desires, all workers in this province should have the right to a free and democratic vote. Workers should have the right to decide for themselves, free of any interference or intimidation from any source, whether or not to have a union represent them, to accept a contract or to go on strike. Obviously, a secret ballot vote is the only fair way of allowing them to do so.

Unfortunately, the government saw no need at that time to support the need for a secret ballot vote, and now I'm hearing from the government members themselves: "Don't believe what you're hearing about all the support for Bill 80 because it's really not there, because people felt intimidated. The international people were there and they felt they had to vote a certain way." If you had supported my call for secret ballot votes, this type of information would not now be circulating behind closed doors and people would be able to speak a little more honestly.

When the Minister of Labour says that Bill 80 is going to bring and promote greater democracy and freedom, if he had supported my request for the secret ballot vote, we certainly would have had greater democracy and we would have had greater freedom. Many of the problems that supposedly are there could have been dealt with, but it seems that the government talks out of both sides of its mouth. Now suddenly we bring in Bill 80 to protect these people who supposedly have voted one way but really didn't want to and only did so because they felt intimidated.

I talked yesterday on the six major issues and I'm not going to review them again today. I indicated yesterday the content of each issue, what it spoke to, what the government's reason appeared to be for supporting that particular issue, and also the concerns the unions had concerning those issues.

We need to remember that what is involved here is the future of 15 unions in this province which represent approximately 130,000 building trade workers and millions of dollars in union dues, union dues that presently do flow to the international parents. Certainly those are the people who are going to be impacted by this bill and, unfortunately, not all of those individuals feel there's been adequate discussion.

For example, the predominant player in the construction marketplace, the Provincial Building and Construction Trades Council of Ontario, has indicated it was never, ever consulted prior to the introduction of Bill 80. In fact, they make many of the same arguments that

the business community made around Bill 40, indicating that there is no justification, no need for the changes; indicating that the minister did not consult with all the people who are going to be impacted by the bill, especially the key players; and also, of course, making the point that this bill will have a negative impact on investment in the construction industry.

**1520**

Yesterday, I also talked about some of the pros and cons of the legislation, and I just want to summarize. The people who are supporting the bill tell us the amendments constitute some internal union housecleaning amendments. Those opposed tell us that Bill 80 is comprised of a set of amendments that, if implemented, has the potential to dramatically alter the course of labour relations in the construction industry.

Those in support say that the amendments would also give Ontario locals the basic democratic right to choose whether or not they wish to disaffiliate themselves from an international parent, just as all industrial unions, such as the United Food and Commercial Workers Union, are able to do.

We have opposition to Bill 80 saying: "Succession will create splintered rival groups across the province, creating confusion and tension that is not needed in the construction sector. These provisions impose an unprecedented 365-day-per-year rating period on building trade unions, singling them out for treatment unparalleled in any jurisdiction in Canada."

We have supporters of Bill 80 telling us: "A related provision prevents the international from assuming supervision over a local union without just cause. This provision ensures that duly elected local officials are protected from arbitrary dismissal or penalty."

We have the opponents of Bill 80 telling us: "We agree that supervision or control should only be for cause. This is covered by rules in constitutions. The bill, of course, will override the constitutions."

We have the supporters of Bill 80 telling us: "It is important to realize that while Bill 80 will empower construction locals to disaffiliate if they choose, there is no reason to expect mass disaffiliation. In fact, Bill 80 may very well lead to a stabilizing of relations between the locals and their international parents."

The opponents of Bill 80 say: "Bill 80, far from being in the tradition of promoting stability, threatens to dismantle the real accomplishments of previous amendments. Fragmentation, rivalry and loss of business confidence are the likely fruits of this latest initiative."

Those who support the bill tell us: "Some of the internationals have criticized the government for a lack of consultation. Consultation was conducted in a confidential manner to prevent the internationals from carrying out reprisals against the locals for their support of Bill 80."

The opponents of Bill 80 tell us, "The predominant players in the construction marketplace, that is, the Provincial Building and Construction Trades Council of Ontario, was not consulted for the introduction of Bill 80."

Finally, the supporters of Bill 80 tell us: "Some local members are reluctant to publicize their support for Bill 80 due to fear of retribution from the internationals. We know, however, through our grass-roots communications, that Bill 80 is broadly supported."

Opponents to Bill 80 say: "These people say that if Bill 80 is not passed as is, then there will be retribution from the international officials. This is a blatant lie. Nobody has ever threatened retribution, nor do they intend to."

You can see that there is a lively debate on Bill 80 within the unions that are impacted by the legislation. It is a very contentious issue. It is an issue that certainly should have been handled much more effectively by the Minister of Labour. If he had really been sincere in his endeavours to deal with the construction industry, resolve the problems that had been presented to him, he would have brought in both sides for discussion, for debate, for consultation, and then as a result of the consultation, he would have made changes, not necessarily through legislation but through some other means. These problems could have been resolved.

However, given that we now have before us Bill 80, it is obvious that it's absolutely necessary that this bill go out to committee for hearings. It's absolutely essential that the people who are going to be impacted by the legislation have an opportunity to talk to the pros and cons of the bill. Then it's necessary for this government and this minister to listen to the viewpoints that are expressed and to come up with amendments, or support the amendments of the opposition, that will indeed truly reflect the majority of people who are going to be impacted by this legislation.

It's important that the majority in this province feels, at the end of the day, that there has been real consultation, that there has been an attempt to listen to all the viewpoints and that the resulting legislation truly addresses all of the concerns that have been expressed. If that's not the case, I believe we are going to have a lack of confidence in investment and we're going to see some chaos within the industry.

On that note, I'm going to conclude my remarks. I simply say again that it's most unfortunate that the minister did not originally consult with the major players who are going to be impacted by the bill, it's unfortunate that he only consulted with those who were called dissidents or those who were looking for this piece of legislation, because what we have here is a bill that has divided the industry; it has created a tremendous amount of chaos. I would hope that in the next round of discussion, the minister truly will consult and

will truly come forward with amendments that reflect the viewpoints of all concerned.

**The Deputy Speaker:** Questions or comments?

**Mr Mike Cooper (Kitchener-Wilmot):** I'd like to thank the member for Waterloo North for her participation in this debate. It's fairly balanced; she had people in support and people in opposition.

A lot of consultation has taken place since the bill was first introduced. The idea of consulting with the people who were in favour with Bill 80 was that they were the ones who were unhappy with the international parents. The ones who were happy with the international parents obviously didn't have the concerns so didn't come forward for the consultation process, and that's why they didn't have a lot of input during that time.

The member for Waterloo North has asked for an example of interference. We have a letter that was sent to all members of the provincial Parliament. It's from the International Brotherhood of Electrical Workers, Local 1788.

It says they have "received a document dated May 6, 1993 signed by J.G. Knight, K. Woods and R. Tersigni, which attempts to remove Local 1788's jurisdiction over work on miscellaneous hydraulic projects...."

"Signing this document and attempting to take away the jurisdiction of Local 1788 is contrary to Bill 80, which is presently before the Legislature and which, when it becomes law, will be effective June 25, 1992. Under that law, any amendment to the jurisdiction of a local union done in a manner that the May 6 letter attempts to do is prohibited...."

"This is exactly the kind of arbitrary action exercised by international construction unions and assisted by compliant employers which Bill 80 is supposed to protect us against. We intend to use Bill 80."

There's another example of why this legislation is necessary.

**Mr Ted Arnott (Wellington):** I'm very pleased to rise and speak briefly to the speech that was given by my colleague our critic for Labour, the member for Waterloo North. She did an outstanding job, as she always does, a very thorough and positive, constructive presentation.

I had a meeting today with Alexandra Dagg, who is the manager of the International Ladies' Garment Workers' Union of Ontario. She is putting forward the view that there should be amendments to the Employment Standards Act. About a year ago, at an Ontario Federation of Labour women's conference, the Minister of Labour promised to introduce new legislative amendments to the Employment Standards Act in early 1993, early this year, to improve the wages and working conditions of home workers. I recall this very well because I was also invited to that OFL women's conference and spoke on behalf of our party at that conven-

tion; I was there, and the minister promised that there would be amendments coming forward to assist the home workers.

Ms Dagg, in her letter to me, indicates:

"Home workers need this new legislation and should not be expected to wait any longer. Without greater protection and better enforcement, home workers will face an even greater erosion of minimal standards. Home work is one of the most rapidly expanding, precarious sectors in the Ontario labour market. Presently, home workers, who are mainly immigrant women, are treated as second-class workers in Ontario."

This is what Alexandra Dagg writes to me, and I met with her this morning. That position has also been endorsed by the Ontario Conference of Catholic Bishops.

The Minister of Labour made a commitment to those people that there would be amendments brought forward to assist them. That has not happened. I don't understand the government's legislative priorities when something like Bill 80—and the member for Waterloo North has indicated very clearly there's absolutely no explanation from the government as to why, when so many people are losing their jobs today, this bill is a priority, and why other outstanding commitments have not been met.

1530

**Mr Chris Stockwell (Etobicoke West):** I'd firstly like to compliment the member for Waterloo North who, I think all sides of the House would agree, offers what I consider to be very good insights into the pieces of legislation that come under her domain as the critic in our party for Labour.

I would move on too to suggest that a couple of comments she made I thought were rather germane. It reflects back on some of the previous legislation this government has brought forward. It is rather disconcerting, I think, to the general public out there to see the absolute reversals or about-faces this government takes on legislation. I recall vividly during the debate on the labour legislation how there was little, if any, concern with respect to the secret ballot, as pointed out by the member for Waterloo North, absolutely no concern about the secret ballot when it came to ratification or institution of a new union. You said, "Oh, no; no intimidation took place at that level." Yet, when we talk about this piece of legislation, similar in that nature, the very concern is raised by the government itself about intimidation with respect to ratification of a union. That is really concerning to me and I'm sure the constituents, how you can say on one hand that is not a concern yet not a year later tell us now that's a major concern in another union.

The other concern I have is with the Minister of Labour himself. I think to offer up the changes to this

piece of legislation as amendments is somewhat unfair. It's unfair to us in opposition and unfair to the public out there. This bill has been practically rewritten. If you look at the amendments and the changes, there are literally chunks out of this piece of legislation that have been changed very dramatically. I think everyone would agree. Truly, if you wanted to bring this forward in the good, non-partisan approach, this package should have been introduced as a new bill. We should have started again, because fundamentally with these amendments, you have simply just asked us to debate today a brand-new piece of legislation.

**The Deputy Speaker:** Questions or comments? The member for Waterloo North, you have two minutes to reply.

**Mrs Witmer:** I'd certainly like to thank the speakers who have participated in the debate and I say to the parliamentary assistant from Kitchener-Wilmot, I'm pleased that the government is finally trying at least to demonstrate some need for the legislation. Since yesterday, he has introduced three examples and obviously, I think those issues could have been resolved if there had been discussion between the two sides, those that are pro- and those that are anti-Bill 80. I don't think it necessarily needs to be resolved in the form of this particular piece of legislation.

I would just like to piggyback on what the member for Etobicoke West said, and that is, we do have here a totally new piece of legislation. The supposed amendments that were given to us yesterday contain deletions, a few changes, but it is a totally and radically new bill. Unfortunately, the government did not see fit to introduce it as a new bill because it didn't want to because it wouldn't be retroactive to July 25, 1992. That's why we simply have these particular amendments and not a new bill.

But I think it really is most unfair and again, I would say to the government, I hope that when we do embark in the public hearings that truly this time—you didn't do so on Bill 40 and certainly you haven't done so in the employment equity hearings—you are prepared to listen to all sides and I hope that you are prepared to incorporate the amendments based on the information that you receive from the individuals making presentations. I guess that's what I find very frustrating: to spend weeks in public hearings and not see any change in the legislation.

**The Deputy Speaker:** Any further debate?

**Mr Drummond White (Durham Centre):** I'm very pleased to rise this afternoon and speak on Bill 80, An Act to amend the Labour Relations Act. Bill 80, of course, is a companion piece to Bill 40, which was lengthily discussed last year. I had some dealings with a Bill 40 recently, but that was on community economic development. This is Bill 80, which is to do with labour, as the earlier Bill 40 was.

I'd like to talk a little bit about the construction trades and some of the comments I've heard from the members opposite. We're moving along. We've talked about the Labour Relations Act amendments, how important they were to the lives of working people in our province; Bill 40 more recently, the community economic development bill, how important that is to building community infrastructure, to building our communities and our economy; and Bill 80 here, which deals with international trade unions in the construction and building trades.

I've heard from the members opposite, I've heard from the member from the official opposition, about how construction workers were lining up to get out of Ontario. Well, I don't think there can be anything farther from the truth, when the Minister of Economic Development and Trade has only recently had to introduce rules and regulations to restrict Quebec construction workers, Quebec building workers, from entering this province.

The efforts in our province to create jobs have been fruitful, even in very, very difficult times. Those efforts are much more fruitful, as we can see, than in other provinces, where much higher levels of unemployment are occurring in the construction trades. The construction trades are essential, and they are essential recipients of our government's investment in infrastructure, in social housing.

In my riding alone, our government has invested in significant ways. We have Durham College, its expansion, which will create 140 ongoing jobs with a new campus in Whitby. That facility is devoted entirely to skills training, to those very areas that this bill deals with.

We also have some 2,200 new jobs at the Whitby Psychiatric Hospital in my riding, again infrastructure, construction jobs, trades jobs. I know that certainly in my area, the many construction trade workers who have come to me, who have talked to me about Bill 80, have been so pleased with that kind of investment in infrastructure that our government has invested in. The GO train extension to Oshawa: again, those same workers.

The issues have been raised time and time again about the importance of enabling that this bill offers, just as Bill 40 did, which was passed last year. The protection of workers, giving them rights here in the construction and building trades—these are very important rights, rights that workers in other areas have already learned to enjoy with this government's work.

We wonder, why Bill 80? Why is it important for the construction trades?

**Mr Stockwell:** Why?

**Mr White:** That's an excellent question you pose. The issue with Bill 80 is that construction trades are differently organized and differently structured than are

other labour unions. They have, for example, a practice of hiring that comes out of a tradition of a hiring hall, of a seniority issue, as opposed to a shop, where all of the employees in the shop are members of a trade union, such as an industrial union. So they are more subject to actions on behalf of their union in terms of their hiring, their very livelihood. Obviously here, if workers are afraid of intimidation, that can be very real. They can be afraid of being intimidated by the practices of their international union.

These unions are all international. When we say "international unions," of course, we're not talking of unions that have tenterhooks in all nations of the world but primarily American-based international unions. I certainly have in my area a long tradition with those international unions.

**1540**

I've seen the constitutions of several of these construction trade unions. The people who have approached me have said: "Gee, I have a lot of difficulties with this. It says right here in the constitution, if we gather in more than two or three, we can lose our privileges. We can have action taken against us." So we wonder why it is that the opposition has this long list of letters, of concerns that have been cited.

The question has been brought up about who is supporting Bill 80. I think Bill 80 has a great deal of support. I know this from the many, many, many people who have approached me individually, the number of petitions I've received, the number of letters and phone calls, the number of approaches.

As a member of the provincial Parliament, let me tell you what my experience is, as I'm sure yours has been. That is, very simply, that when a bill comes forth, what one typically hears is not the support of those who want that bill to come forth. People don't rush to you and say, "Gee, am I ever pleased that you're passing Bill 32," or whatever it might be.

Certainly, last year, with Bill 40, the Ontario Labour Relations Act, we knew we had substantive support across the labour movement but we didn't hear that time and time again. Every time I spoke to someone at the door, they didn't say, "Boy, am I ever pleased that you're passing Bill 40."

On that occasion, with Bill 40, we heard all kinds of people saying what a terrible thing it was, all kinds of money paid for huge advertising ploys, how Bill 40 would kill jobs. Well, I'll tell you, Bill 40 not only did not kill jobs, but despite all that fallacious advertising, in the month of January this year when that bill came into effect, at that time when 285,000 jobs were supposed to be killed according to the construction association—according to these people, all these jobs were going to be killed, all of these people were going to be unemployed—peculiarly enough, in that very month that bill came into effect, actually 43,000 new jobs were

created, the largest number for many, many years. What a remarkable coincidence.

As I was saying, when a bill comes forth, we hear all the opposition to it, not the support for it. In this case, what I have heard and what I know many of my colleagues have heard time and time again from labourers, from electricians, what they have all come to us and said is: "Don't tell everyone around me, but we want this bill. It's so important to us. It allows us some sense of control of our local and of our destiny, some dignity in our workplace, some protection of our geographic and work jurisdiction." Those are essential issues of dignity.

The issue has been brought forth about consultation. This bill was introduced on June 25; not July 25 as we heard a few moments ago, but June 25, 1992. I would invite you to take a look at this sheet, Mr Speaker. You can certainly see that this is not a new bill. It's been with us for quite a while.

In the last year and a half since its introduction, there has been substantive consultation and substantive discussion about the bill and how to adapt it. We've already heard in fact that when the discussion came up on Monday, the opposition was furious because they knew that amendments were coming forth. They knew that our government listens and responds and has dealt with many of the concerns that some of the international unions have brought forth and has adjusted it to make it more sensible and practicable.

These are some of the issues that I think are crucial with this bill. We know of its wide support and we know of course that the construction and building trades are essential to the importance of infrastructure, the importance of investments, the kind of community action and economic development that our government is pinning into for the next little while.

Certainly, again, in my area we know how important those developments are with the social housing, with the number of co-ops, with Whitby Psychiatric Hospital and Durham College, with those substantive capital investments in our community which the construction trades unions and their members are essentially involved in. Why, in these days, were it not for some of those projects, very, very many of those people would be unemployed. They are very, very involved in ensuring that those capital projects go ahead. I would hope that these people can be sure of the same level of dignity and democratic control in their trade unions that we have ensured for the rest of the workers in this province.

With that, I will close and thank my colleagues for their kind attention.

**The Deputy Speaker:** Questions or comments?

**Mr Stockwell:** That was a rather curious speech offered up by the member for Durham Centre. That

seemed to answer probably the concerns that he has in his mind, but I thought some of the issues outlined by the critic from the Liberal Party and of course the critic from the Conservative Party touched on a number of issues and a number of subjects that weren't addressed by the member. I ask but two.

What we have before us today and what was introduced on June 25, 1992, are two very different pieces of legislation. The amendments themselves in fact have gutted the original piece to the point that it's unrecognizable. Can I ask the member to explain why they did not introduce a new piece of legislation? In essence, how come we can't get a new piece of legislation introduced for this bill when they gutted it to such a large degree with the amendments they offered up?

Secondly, explain to me the difference as to why it is that you don't need a secret ballot in your labour legislation when you're forming a union or dealing with any votes within a union, but on this piece of legislation it is significant and important. It's difficult, I'm sure, to explain, but why is it significant and important to have a secret ballot when you're dealing with the issues in this piece of legislation? Clearly they're both unions, clearly they're both dealing with the same issues, yet one needs a secret ballot and the other one doesn't. I don't understand. There appears to be a contradiction in that.

Those may be two issues he'd like to discuss. I'm not really certain what Durham College had to do with it, and if he has any time left over, if he could explain that, I'd really find that interesting as well.

**Mr Steven W. Mahoney (Mississauga West):** I find it interesting when I hear the members of the back bench in the NDP standing up to speak in support of this bill, saying that they've received phone calls and letters or that they haven't received them—

**Mr Stockwell:** But they can't tell you the names.

**Mr Mahoney:** —but, yes, they can't tell you the names. We've asked for examples. The member for Kitchener-Wilmot got up yesterday and gave us an example of an issue that was long ago resolved, that's not a problem at all, and yet you're trying to hold that up as being the *raison d'être* for bringing in this bill. The bottom line and the thing that is very hard to understand is that the process, the democratic process, has really been violated here.

I could just hear all of you, if you were back in your other lives as members of a local or a union executive somewhere prior to your surprise election to this place. I could just hear you. I could hear the former—I'm not sure what her title was, the minister who used to head up OPSEU. I could just hear her if there was some attempt by a government to try to interfere in the constitution that was drawn up by the duly elected, democratically elected officials of her union or any of

your unions. You wouldn't tolerate it, you would certainly not defend it and you would not expect it of a socialist government. You would be marching right up University Avenue. You would have Bob Rae and Bob Mackenzie leading the march with placards calling for the government to resign, to stay out of internal union politics.

You know what? If you did that, I'd agree with you. The government has no place interfering in a democratic system that is set up by the trade labour movement. It's functioning fine. You should get out of it and leave them alone.

**1550**

**Mr Murray J. Elston (Bruce):** It's always of interest to me, when the New Democrats mobilize their back bench to speak, that they don't always answer all of the questions that are in the minds of the people out in the countryside. I don't understand, and perhaps the member for Durham Centre will explain to me, why this is just limited to the construction union membership. Why isn't this applied to the general union membership?

When he attempts to explain that, I think we will then begin to understand whether or not he understands the real workings of union memberships in the province of Ontario. The differentiation between one group of people and another for the purposes of fair treatment and the use of democratic principles inside their organizations is of interest to all of us.

I just want the member, while he is explaining that, to go as far back into the background as he needs so that we're sure that the women and men who are affiliated with construction unions are not being unfairly set aside or penalized or being centred out for treatment which is not good for all the people who are members of unions. That issue of fairness, it seems to me, is what it would take to display some sense of propriety by the current Minister of Labour.

To continue on with a couple more comments before we get back to the member for Durham Centre's reply, I have been told that while a number of people had the opportunity of speaking in the same room where the Minister of Labour was during the discussions around this bill, nobody actually had the opportunity of speaking with him, that he would not listen, that in fact he basically told people, "It is my way or the doorway." The doorway is what most of the people who had concerns about this bill were given.

**Hon Frances Lankin (Minister of Economic Development and Trade):** I'm pleased also to join in response to the comments of the member for Durham Centre and to say that I appreciate the points he drew out with respect to the process of consultation and the process of the public hearings around this bill and how people have come forward in response to the bill.

I had an opportunity, during the period of time that this bill was under consideration in committee, to meet with a number of representatives of international unions who brought forward concerns with respect to the legislation. Many of those concerns were put before the committee, and I have to say, unlike the previous speaker, that I know for a fact, from meeting with these people, that they had direct meetings with the Minister of Labour, that he met with them and has responded to many of their concerns in terms of amendments to the legislation. I actually feel quite confident that the majority of the issues they raised have been dealt with in terms of the amendments.

I think that the member for Durham Centre also raised a very important point with respect to the reasons why this bill is coming forward. Those people in support in the labour movement, particularly in these international unions as well as in many of the national unions—and there was reference earlier to my previous activity within OPSEU. I would say that this is a kind of movement that people who are members of national unions with democratic constitutions would feel quite strongly in favour of.

I think the member for Durham Centre has pointed out that in the construction trades in the internationally based unions you're dealing with constitutions that are often based out of an American union and you're dealing with situations where there is a hiring hall with respect to employment. There are some very good aspects to that system, but it also ensures in many ways that issues related to livelihood are squarely on the table when you're talking about the functioning of the union.

With that in mind, I think the proposals that have been brought forward in this legislation will allow for members here in Canadian locals to exercise their rights in a fulsome way and have the amendments that have been brought forward also protect the interests of the union and the international with respect to that. I think it's a good package.

**The Deputy Speaker:** The member for Durham Centre, you have two minutes.

**Mr White:** I'd like to respond to just a couple of points in the short time I have left. First of all, if I could respond to the concern of my friend from Etobicoke about Durham College, Durham College is a facility just being completed in my riding. It's a new facility with space for several hundred people who are learning the skills they need to be active participants in the building construction trades. That's why I bring up Durham College. It's something to be proud of that our government is opening up officially just next month.

The issue that my friend brings up as well is that he is complaining about how the bill has changed, how amendments that he's aware of will change the intent or the effect of the bill. Then, in another breath, he says our government hasn't been responsive. Well, which is

it? Are we unresponsive or do we, as I suggest, respond adequately and thoroughly, as he also has said, one or the other? He can't have it both ways.

The bill empowers people, empowers members of those unions, to have the same kind of powers that other union members have. It levels the field to some degree, gives them opportunities.

My friends asked me who else have I heard from. I've talked about the electrical workers who've approached me. Let me also talk about the labourers and other trades that have also approached me in large numbers.

**Mr Stockwell:** Name one.

**Mr Mahoney:** Name names.

**Mr White:** The Laborers' International Union, my friend.

The final point I would like to mention is that my friend the member for Mississauga West refers to me as a member of the back bench. He'll probably notice I am here in the front benches and my friend from Mississauga West is as close as he's ever come to the front benches.

**Mr Steven Offer (Mississauga North):** I'm pleased to join in this debate on Bill 80. Let me say at the outset that I am not in favour—

*Interjection.*

**The Deputy Speaker:** The member for Etobicoke West, please.

**Mr Offer:** Let me say at the outset that I am not in favour of Bill 80. I'm not in favour for two general reasons which I hope to go into in the time permitted: firstly, on the substantive aspects of the bill, the wording of the bill, and, secondly, the process under which the bill got to this legislative floor.

Let me indicate that I previously was the Labour critic for our party. The member for Mississauga West has now assumed that responsibility. As the Labour critic at that time, it was Bill 80 that was introduced. I would like to take a moment just to remind members how Bill 80 got here.

I believe it was on June 4, 1992, that the Minister of Labour made a statement in this Legislature around Bill 40. We know about Bill 40, the changes to the Labour Relations Act. In the minister's statement—it was either the last paragraph or the second-last paragraph—the minister alluded to the fact that some time in a short while he would be introducing a further bill dealing with the construction trades.

I will tell you that point was the first time members who are going to be directly affected by what turned out to be Bill 80 had heard that the Minister of Labour was not only contemplating a bill of this kind, but indeed was ready to introduce it. The Minister of Labour introduced Bill 80; I believe it was the end of June. But

I can tell you that there was no consultation on that bill prior to its introduction. I can tell you that the workers directly affected by that bill had no idea that the minister, the ministry or the government was even contemplating changes as are found in Bill 80.

**1600**

For the government to preach that this was the bill of some consultation, I would just like to remind them that the record is totally against them in this respect; that the Minister of Labour sprang this bill on the internationals in June 1992. If there be a member of the government who can refute that in the two minutes they will have available to them when I have finished my speech, let them stand in their place and put it on the record that there was consultation on Bill 80 prior to the minister's statement of June 4, 1992.

That is what immediately concerned me, because when you deal with legislation, you deal with two broad areas. The first of course is the substance of the legislation, what it says and what it means, but secondly, the process under which it got to this place. Where a piece of legislation is totally devoid of discussing with people who are going to be affected by the legislation what the legislation is, then I think the bill starts off with an incredible flaw. The Minister of Labour has not been able to correct that, and I think that over time we will see the tremendous discomfort that has gone out, certainly through the international unions, because of this bill.

If memory serves me correctly, I believe we're talking of 14 international unions that are affected by this bill. If I'm incorrect on that number, I stand corrected, but I believe that there are 14 internationals. Again, they had absolutely no prior discussions, no consultation about the introduction of this bill. They had no idea. They were not invited to talk about the need for the bill. They were not entitled to talk about whether there was a need; what the concerns were, if there were any. All they saw on June 4 was that the Minister of Labour was going to introduce something—it turned out to be at the end of June—which was going to affect them.

I believe that is not only a flaw but a fatal flaw, because it underlines this Jekyll and Hyde approach the government has to people's rights in this province. On one hand they talk about issues such as a matter we discussed last week, the Environmental Bill of Rights. They talk about how that particular piece of legislation was the culmination of discussion, was the culmination of work done by a task force, was and is designed to provide more rights to the general public. Last week I spoke generally, in principle, in favour of the legislation, though I have some concerns about it. But this now is another thing: This is a bill which takes away rights from people, tramples on rights of workers in this province.

So we have this Jekyll and Hyde routine: On one hand the government will speak about giving rights to individuals under the Environmental Bill of Rights; on the other hand it takes away rights in the environment under its own Bill 143. On one hand they say they are giving rights, under their changes to the Labour Relations Act under Bill 40; on the other hand they take away rights under Bill 80.

I have no doubt that if this type of bill were introduced by any other party, the members of the government side would be in an absolute uproar. They would be protesting from the highest plank. They would be marching where others have feared to march. They would be holding placards from here to for ever about how Bill 80 tramples on the rights of workers. Let me tell you, no matter how you cut it, Bill 80 does in fact do that. Bill 80 does take away from workers the right to order their own affairs.

I want to, in the short time I have because of the government's new rules of procedure, deal with some of the substantive aspects of the bill.

I've indicated that this bill is an intrusion into the legitimate operation of unions, and we're talking about international unions in this respect, who are governed by constitutions, who are governed by their charter, who are governed by their bylaws, who in fact are not much different in their governance from any corporation who has its own charter, its own articles, its own constitution and its own bylaws. But the government in this respect seems to feel that it has to intrude, intrude on what has been a duly selected, duly dealt-with way in which a union wants to order its own affairs.

To me, that is something which immediately should invite opposition, because if the workers who are part of those unions want to be governed in that way, then that should be their decision. Why should the government be telling workers how they should be operating within their own union? I don't think that is right. I don't think that is fair.

Workers in unions have decided how their affairs are to be governed. They have certain remedies within their rules; they have certain actions which they can take. They have voted on those and they have said, "We have voted and we will be bound," and, to me, that should do it.

What justification is there for the government to say, "Those workers who have decided how they wish to be governed, we do not agree with that which you have decided"? That's what Bill 80 does; it intrudes on that. I think it serves and sets up a very dangerous, dangerous precedent, and it's one which I think will be very destructive. I think there are going to be some real concerns about how a government intrudes on the rights of others.

It is very much this Jekyll and Hyde type of

approach. I remember full well on Bill 40, where we spoke and the opposition party spoke about the rights that workers should have to have a secret ballot; not to be pro or against unionization, but rather to say, if someone wishes to be unionized let them be able to cast a vote yes or no, and let them be able to cast that vote fully informed, in a secret manner and without any coercion and intimidation: secret ballot.

At that time, Madam Speaker—you will remember this well—the government was totally opposed to giving workers that right. They were totally opposed to giving workers in this province the right to cast a secret ballot, free from intimidation, free from coercion, being fully informed, about how they wish to have their workplace governed. There was no argument that we on the opposing side could put that the government would listen to. But in Bill 80, guess what we have? We have the secret ballot.

How is that to be read? How is it that the secret ballot for workers under Bill 40 is not allowed but for those in Bill 80 is allowed? What is the principle? Either you are in favour of secret ballot votes or you are not, but you would expect consistency. The government, if it is consistent in anything, it is in inconsistency. Bill 40 and Bill 80 are an example.

I indicated earlier that this does impinge on the rights of workers; it impinges on their rights in a number of ways. I believe it will in fact result in a lack of mobility of workers in this province to work outside the province.

#### **1610**

One of the things that is the hallmark of international unions is that there is a mobility of workers. Being part of an international union, the workers can move to other provinces and in fact to the United States and still receive that type of protection; they have to, of course, meet some requirements for being able to work in the United States. But they had that ability to move where the work was. It had nothing to do with governments; it had to do with where the work was, what was available. Their protection, being part of an international union, was one that extended not just within the borders of Ontario but rather across the country and indeed into the United States.

I believe the impact of Bill 80 will cause a lack of mobility. In fact, we will be creating barriers for workers moving outside of the province or to other areas. The strange thing about this is that I thought the government was in favour of the mobility of workers. I thought they wanted workers to have that flexibility, to move where the work was. I don't mean move out of the province; I just mean that if there happens to be a project in another province, they could do that project, of course never losing their base in Ontario. Bill 80 creates or has the potential of creating barriers.

I bring this point up because I happen to have a letter

from the Minister of Education and Training, the Honourable David Cooke. This letter is dated not two years ago, but rather it's dated July 29, 1993, so we will know it is a letter of some currency. In his letter to me, because we were inquiring about the mobility of workers, he states:

"My federal, provincial and territorial colleagues across the country agreed in January to work together to reduce barriers to mobility of skilled workers. All jurisdictions, including Ontario and Quebec, are participating in the cooperative effort. Ontario is committed to labour mobility and has shown leadership and support of" a certain program, which was the subject matter of this letter. But the issue that the minister brings forward is the fact that workers should have the ability to move where the work is, move across the province if the work happens to be there.

The problem I have is that again I hearken back to this Jekyll and Hyde routine by the government. On one hand they write a letter to me on July 29, 1993, which speaks about how important it is for workers to move, to be able to be mobile, to go where the work is, and on the other hand we see Bill 80. Bill 80 is the seed where barriers can be created which will impede mobility.

This is a constant theme which I detect from the government. We have the Environmental Bill of Rights, which is designed to give rights to individuals across this province, which of course we will deal with in some detail later on, but on the other hand we have Bill 143, an environmental piece of legislation which takes away rights.

I represent the area of Mississauga North. Members in this Legislature will know that in that riding rests the Britannia landfill site. Members will also remember the promise made by now-Premier Rae, then the Leader of the Opposition, in the last election which said that there will not be any expansion of an existing landfill site without a full environmental hearing. That was the promise made. That was the assertion made by the now Premier. You will all know, because I have brought this up in the Legislature on a number of occasions, that the Britannia landfill site was in fact expanded, and it was expanded without any hearing.

In your minds you will have to reconcile the fact that your leader said, "No expansion without a full hearing," when the reality was that there was an expansion without any hearing. You will have to reconcile that fact, that Jekyll and Hyde approach. You will have to reconcile the fact that many of you on the government side spoke in favour of Bill 40 with how Bill 80 intrudes on workers' rights. You will have to reconcile: "How can that happen? How, within one year, can we be speaking in favour, ostensibly, of workers' rights and opposed to workers' rights?"

It is a curious juxtaposition that you find yourselves in because, without any question, you have a major

problem. Your problem is consistency.

You will know that not everybody is going to agree with every policy that you have introduced. You will know there are many who don't agree with any policy that you happen to bring in, but you will also know that that comes with the nature of governing. But underlying everything has to be a certain consistency of principles. Either you are in favour of people's rights or you are opposed. If you speak in favour, then you have to reconcile: "How is it that we can be in favour of Bill 143, which took away rights of an environmental nature, and the Environmental Bill of Rights? How can we be on one hand introducing Bill 40 and on the other hand introducing Bill 80?" It does not jibe. It lacks consistency in this area.

There are aspects of the bill which I believe demand attention, demand full examination. The Minister of Economic Development and Trade, that is something for this province with this government, made a two-minute wrapup on this bill as if the bill had had public hearings. She said: "Well, we have listened, we have consulted. This is the bill. It has been the subject matter of public hearings."

The fact of the matter is, this bill is here on second reading. This bill has not had public hearings yet. There have not been committee hearings. Has the minister unwittingly let the cat out of the bag? Has she unwittingly, in her two-minute wrapup, indicated that this is it, that it doesn't matter who comes before the committee, that this is the bill as it will be in its final form? It appears that there was a misstatement in this matter, and I made notes as she spoke about this area.

This bill has a long history. There are those who may have been introduced to this bill just yesterday.

1620

**Mr White:** Like you.

**Mr Offer:** Drummond White indicates, "like myself." The problem the member has is that his last speech is recorded in Hansard, and those who have been involved with Bill 80 will know that the member does not know what he speaks about. It is as if the member just picked up the bill and chatted without any thought. The problem is that I would think if we check what that member said, he probably picked up the wrong bill.

The fact is that this bill does have a long history, and the fact is that this bill's history stems from June 4, 1992, I believe the day was, when the Minister of Labour made a statement introducing Bill 40 and at that point alluded to the fact that there would be a further bill dealing with the construction trades.

The member should realize that this was the first time people who are directly affected by this bill heard of that. There was no consultation before. There was no discussion. There was no sitting down at the table to say: "Are there any problems? What are they? How can

they be resolved?" The government didn't do that. You didn't do that. You didn't listen. You didn't even inform. Secretly, the government was conspiring to deal with a bill that I believe they thought they could get through real fast and really quiet under the umbrella of the major changes to the Labour Relations Act under Bill 40.

Luckily, there is a group of committed workers in this province who saw this bill, read this bill, talked to members of the Legislature about the impact of this bill, and put us on guard that, "We have some things to say about it." They informed us as to what the impact of this bill will be. In many ways they thwarted what I believe to be an effort by the government to get through Bill 80 real fast and real quiet, until, of course, the government had no option but to deal with the bill in a more public fashion. That speaks to two things.

Firstly, it speaks to the fact that this government is wanting in the extreme in consulting with the public on pieces of legislation that will affect them, and there are many examples of that. But it also speaks to another aspect; that is, the commitment of the workers who are going to be affected by this bill that they, even though they were dealing with Bill 40 at the time, saw to it to make certain that all members of the Legislature were informed and briefed as to what Bill 80 meant. That is something that members of this Legislature are indebted to the workers of this province for, because they have other things to do. They have to make a living. They have to worry about an awful lot of things. But they made it a point to make certain that certainly—I at that point was the Labour critic, but other members were informed as to what this bill meant and how important this bill would be to them, in a negative fashion, in them being able to run their own affairs. It's important to acknowledge the tremendous work they did, and it was not over a short period of time but over a long period of time.

This bill is all about rights. It is all about the rights of workers to order their own affairs. It is all about rights and responsibilities and remedies that workers freely agree they should be bound by. And this bill is about intruding on those rights. It is about government saying, "You've decided this, and even though you have the right to make that decision, we believe you shouldn't." This bill takes away rights. It intrudes on workers' rights. It intrudes on unions being able to govern in a manner which is consistent with the rules and the laws of the province of Ontario, but how those decisions are made or how they are made by the internal workings of the union.

If we as legislators say that they cannot do that, then we set, I think, a very dangerous precedent. I think we move into an area where governments just shouldn't be. Yes, governments have a role to play in terms of a general framework, in terms of general rules and laws,

but that's different from saying: "We're going to go further. We're going to say not only that you have the right to make this decision, but rather we're going to say what that decision should be." That is a very dangerous, dangerous area. It is an area which I do not believe governments should be involved in.

If there are difficulties and if there are problems, then I believe that the role of government is to say to those who are affected, "Let us sit down and talk, let us discuss, if there are problems, and if there are, what they are and how they can be resolved." But also, if there are not problems, then government, back off. Back off from people running and ordering and organizing their own affairs within the bounds of the law in a way which is reflective of and responsive to a democratically run union.

That's why I have concerns with Bill 80. I believe Bill 80 flies in the face of fundamental principles and that is why I am opposed to Bill 80 and that is why I hope that government will see the light and recognize that Bill 80 is unnecessary, not required, and that many people have had their rights trampled by your particular actions in Bill 80.

**The Acting Speaker (Ms Margaret Harrington):** The member's time has expired. I thank the member for his contribution. Any questions and/or comments? The member for Oxford.

**Mr Kimble Sutherland (Oxford):** Thank you, Madam Speaker, and congratulations on your selection to your new position.

The member who just spoke has said this piece of legislation isn't necessary. I want to say to you that it is very necessary. I had members of construction trade unions come and visit me in my office and talk about the need for bringing this legislation forward. The member talked about rights, he talked about members' individual rights, and these members who came to see me were very concerned about their rights. They felt intimidated. They had a great deal of fear. No one is saying that this occurs in all trade unions involved with all locals, but clearly something needs to be done when these members who have come to see many members about this piece of legislation feel scared and intimidated even coming to talk to us about having this piece of legislation come forward. Clearly, there is a strong need for this to protect those individual workers and maybe sometimes members of different locals.

Executive members of those locals are doing what they feel is in the best interests of their local members, who have a mandate from their local members, yet, for whatever reasons, internationals have come in and tried to override those decisions without just cause. Let's be clear that the legislation says that action can still be taken if there is just cause, but in those cases where this has occurred without just cause it really shows the need for having this type of legislation.

Who's going to protect those people? Who's out there protecting those people? The member has not addressed that concern and, as I said, when people come and they feel scared, they feel intimidated, they're concerned about being seen coming to your office to talk about this type of issue, where is the protection for them? That is the question that needs to be answered by those who are criticizing this piece of legislation.

**The Acting Speaker:** The member for Mississauga North has two minutes to respond.

1630

**Mr Offer:** I think that the previous speaker has overlooked one fact. In fact, if we take a look at what he said, he has made an argument that unions in some instances do not protect their members. I think that's a very interesting statement the member has made.

The fact of the matter is that on June 4, 1992, the Minister of Labour indicated for the very first time that there would be legislation of this kind and—and you remember the challenge that I laid earlier on—the government did not consult with anyone who was going to be directly affected by this legislation. They did not talk about any of the issues prior to the pronouncement by the Minister of Labour. They introduced this piece of legislation without any discussion.

You will remember that I had invited any member of the Legislature on the government side to stand up in his or her place and refute that. Of course, no one did, and I knew no one would, because the government did not listen, was not concerned with rights of workers.

The member has indicated that there are individuals who feel their rights and their concerns are not heard. The question is, in principle, does a union and its membership have the right to order their own affairs, the right to develop what are the responsibilities and remedies available to each and every one of the members? If the answer to that question is yes, then you will be opposed to Bill 80. If you decide that unions, their elected officials and their members do not have that right, then you will support Bill 80.

I believe workers should have that right and I am opposed to Bill 80 for that reason.

**The Acting Speaker:** Are there any other members who wish to participate in this debate?

**Mrs Elinor Caplan (Oriole):** I'm pleased to rise today to participate in this debate on Bill 80. I guess the concerns that I have on behalf of my constituents in the riding of Oriole when they ask me what's happening in the provincial Legislature, what's on the government's agenda and what is it doing about creating jobs in the province of Ontario, or a climate where jobs can be created in the province of Ontario—I tell them that Bill 80, which is all about how unions will organize themselves and how their affairs will be conducted in the future, is on the agenda.

I had a constituent who said to me: "How's this going to help improve the economy in Ontario? What implications are there in Bill 80 and its amendments for how unions are organized? How's that going to help create a climate where jobs can be created in the province of Ontario?" I had to answer quite frankly that Bill 80 has nothing to do with the economic recovery that Ontario so desperately needs, it has nothing to do with creating a climate of confidence. If anything, the advice we've had from some of the leaders who oppose Bill 80 is that it could well hinder job creation efforts as you would have strife, particularly within the construction sector, construction unions in this province.

My constituents are very concerned that at a time when Bob Rae and his government should be putting their minds and their attention to economic activity, once again they're getting themselves involved in controversial labour legislation which is not going to help the economic recovery and is not going to create a climate where jobs can be created in the private sector. In fact, Bill 80 is all about intra-union affairs and how they organize themselves. While it will affect some workers and some union members in the province, overall it has very little impact on the public. They don't know very much about Bill 80 and, frankly, when I try to tell them about it, they really just don't care about this. They find it hard to understand why this is on Bob Rae's agenda at all at this time.

Part of my concern, as I stand here in the House today, is that this is one of the unanswered questions about Bill 80. The unanswered question is, why is this on the agenda at all? I can tell you that we haven't had an answer to that question from any member of the government. No one has been able to tell us why Bill 80 is on the agenda. There's been no explanation as to the rationale underlying Bill 80.

We know of many of the problems which some feel exist within the unionized movement in Ontario. Some say that Bill 80 is the wrong solution; others say they are quite supportive of it. What I've heard is that in fact Bill 80 is creating a tension that is unhelpful and unnecessary at this time.

I believe that Bill 80 will create unrest between locals here in Ontario and their international parent unions. I've met with and visited with union leaders, some who were in favour, but the majority of whom were opposed. What this was doing was intruding, I was informed, into how the unions organize themselves, how their constitutions are set and the voice their members have in determining in a democratic way the business of their unions.

I know of the bias of Bob Rae and his government to placing union interests on the agenda, but I found it very hard to understand, when there isn't a clear consensus in the organized labour community, why Bob Rae and his ministers would sanction going ahead with

something where there clearly was not a consensus that this was needed. Certainly it's not going to be helpful to any kind of economic recovery, as I said before, and there's not even an understanding of what the rationale clearly is for this piece of legislation at this time.

On behalf of my constituents, I think Bill 80 is the wrong priority for this government. I think they brought this bill forward when the province is in the midst of very difficult economic times. We hope the recession is behind us, but in fact the signs are that this is a jobless recovery, that the recession has been more prolonged and deeper than was ever anticipated. The policies of Bob Rae and the NDP government, from my perspective, have made the recovery sluggish, slow and very, very painful. Many of my constituents are suffering as a result of those policies, as a result of the kind of economic restructuring which is going on in this province. Many have lost their jobs, many are worried about the future, and I share their pain and their worry.

I think that instead of promoting legislation which deals with only intra-union issues and policy issues, the government really should be concentrating on fostering economic recovery that would benefit all Ontarians. I think that would be in the public interest. It seems to me that the union membership in Ontario's construction sector, which this legislation is directly affecting, the unions in the construction sector, is also suffering. They're suffering, because we know that the construction industry in the province has suffered terribly during this recent recession. We know that the industry itself estimates that it will only be in the year 2005—and remember that today, October 5, 1993, is many years away from 2005—that it will take until 2005 before construction activity will return to the level that was experienced in 1989.

We know that the province of Ontario is overbuilt, particularly in Metropolitan Toronto, when it comes to industrial and commercial space. Many people are finding that it is indeed a buyer's market when it comes to renting space. Prices have dropped dramatically. Housing starts are slow.

#### 1640

I can tell you that I was visiting someone in my constituency who was involved in the construction industry, and what I was told is that the only real activity going on in the construction industry right now are the kinds of infrastructure programs that are supported by government. We know as well that the notion of the federal Liberal Party of a joint federal-provincial-municipal infrastructure program would be a very important program for the construction industry and construction trades.

In the recession, the only kinds of activity that I believe government can do to really foster job creation, even though it is short-term, are the kinds of construction jobs that will not have an impact on the overall

cost of government in the medium to long term. If you can fix a building or build a building that is going to serve the public, where the cost of operating that business is perhaps even less than it costs today, that would be efficient use of tax dollars that would stimulate the economy and create jobs appropriately.

But I caution that we must be very careful in doing that, because overall the debt load and the deficit problems that are experienced in government are hampering our efforts, and the costs of borrowing become such that it really doesn't make good sense unless you can make a business case for moving forward with that kind of economic stimulation.

I'm quite sensitive to the needs of the construction industry and sensitive to the needs of construction workers, and I am sensitive to the needs of the members of the unions who are employed in the construction sector. I'm sensitive to their needs, because what they need right now is work. The last thing they need right now are more rules and regulations.

I think this is a very bad time to bring in Bill 80, even with some of the amendments that the government has brought forward, and I'll go into those in a moment. I don't think the rank-and-file construction workers, the members of those unions, are really worried about changes in rules. What they're worried about now are changes in their paycheque, in their ability to pay their mortgage, in their ability to survive this recession. What they'd like to see from Bob Rae and from the government is a little bit of attention to those matters, as opposed to this kind of intrusion and tinkering which is causing such tension among the labour movement and which really pays very little attention to the public interest. I repeat, Bill 80 has nothing to do with the public interest; it is a special interest. Why this is a special interest of this government remains a mystery to me.

Bill 80, as I said, gives no help to the construction industry. It's the wrong priority for the government at this time. When everybody wants them to be concentrating on job creation and economic prosperity and hope, they bring us Bill 80, which says, "This is how the unions are going to be governed." It takes away many of the democratic rights of union members. It says that those members no longer will have the ability to determine among themselves how they want their unions to function and what relationship they want to have with the international organizations. I think the unrest this has created among the unions in the construction industry runs contrary to the needs of the province at this time. As I said, Bill 80 is all about governance of unions. Bill 80 has nothing to do with economic prosperity, jobs or economic recovery, and that's a pity.

My own view is that Bill 80 is an unwarranted intrusion into the legitimate operations of the unions in

the province of Ontario. This legislation says that the government can dictate how the head offices of these unions should deal with their locals. That means that democratic decisions taken by the entire union can be overruled by the government. That's why, as I said, I find Bill 80 difficult to understand from the perspective of, why would you do this? Why would you want the government to be able to dictate to the unions how they should conduct their business? It just doesn't make sense.

Bill 80 means the Ontario Labour Relations Board will be able to tell the unions how they run their operations. Bill 80 allows the OLRB to decide such crucial questions as whether the international union, the parent, has, and I quote from the legislation, "just cause" to intervene with its Ontario local around what constitutes work jurisdiction for the union. You tell me how many union members understand that wording, which is right in the legislation. I don't think they do, but the union leadership does, and what the union leaders are telling me is that they have not come to an agreement on whether or not Bill 80 serves the needs of Ontario unions. Some tell me they think it's a good idea; most tell me they think it is a bad idea.

As a result of Bill 80, international unions will have less control over union members. However, this control will be displaced by the decisions which will be made by government bureaucrats who are unaccountable to the union membership. It seems to me that the very principles of our democracy bring together the concepts of responsibility and accountability: He who is responsible for the decision-making should be accountable directly to the people for whom he is making those decisions. What you find in Bill 80 is that the union membership elect their leadership and that leadership should be directly accountable to them, but in fact the government will now have the power to intervene. That is anti-democratic.

When I tell people that these are the sorts of things Bob Rae and the NDP are doing, do you know what they say? They say, "The NDP wouldn't do that." I met with the union leadership who are opposing Bill 80 and I said to them, "Why is the NDP doing this? I can't believe they're doing this. They call themselves the New Democratic Party. Why would they bring in legislation which is anti-democratic?" They look at me and they say, "We are disillusioned and we are frustrated and we don't understand it either."

Bill 80 threatens the system by which the construction unions divide work on the job. That may not be a big public interest issue, but it sure is an issue to the union membership of those unions in the construction industry. Let me tell you what happens currently. Currently, construction unions have agreements among themselves to resolve work site disputes about which union can do which jobs. Bill 80 overrides these

agreements and forces government bureaucrats to decide which unions should do work on which job construction sites.

The only conclusion I can come to is that the ideology of the NDP—the overriding philosophy which says government should be involved in all aspects of our lives, that government and its will should pervade everything we do, that government-run, public-sector-run, bureaucratic intrusion is not only okay to the NDP but is its preferred option for how society should function—is what Bill 80 is all about.

What Bill 80 says is: "We, the government, do not trust the union leadership in the construction sector to work out these problems. We don't trust the rank-and-file members in these unions to be able to make good decisions on behalf of themselves. Because we have"—they say, Bob Rae and the NDP—"so little confidence in the individual, we are going to intrude and take the power unto the government to make the decisions, because we have no confidence that individuals can make good decisions."

#### 1650

I have to tell you, Madam Speaker, that frequently people say to me, "What's the difference between the New Democrats and the Liberals and the Tories?" This issue of having confidence in the democratic process, empowering the individual at the local level in a democratic process to have more control and more say over their lives, is liberalism. Liberals do not believe that you should intrude in legitimate, democratic decision-making. That is very much the principle of liberalism.

We believe in the supremacy of the individual and we have confidence—I have confidence—that if you give people the opportunity to make a good decision, give them the knowledge, the information that they need, they will make a decision that's right for them. It may not be the same as the decision that their neighbours next door will make, and that's their right. As a Liberal, I believe that the individual should have maximum freedom and maximum choice and maximum opportunity to participate fully in our society.

Bill 80 does exactly the opposite. Bill 80 intrudes. It takes away individual rights, it takes away democratic opportunity and it allows the government to override democratic decision-making. That's why I think Bill 80 will likely lead to increased unrest within the construction industry, and that's because what it will do is foster the kinds of unfortunate turf issues between locals which result in a lose-lose situation. When everybody knows that the government can step in, it will mean that disputes more likely will not be resolved locally. If there's somebody who's going to walk in anyway, why should you try to settle it yourself?

I've looked at some of the amendments to Bill 80. There are seven amendments, of which five, I believe,

are substantial and two are not as substantive.

In Bill 80, the government has removed the successorship provision, and I think this is very positive. In fact, this is something which the Ontario Liberals have been arguing for, under the leadership of Steve Offer. I'm very proud to say that this is one provision that we, the Ontario Liberal caucus and Steve Offer, believe is considered quite a major and significant victory in getting this enshrined in the bill as an amendment from the government. However, I don't think it fixes the bill. It's not substantive enough to have everybody now agreeing that this piece of legislation is worthy and should continue.

The government's added a provision that the OLRB will take existing union constitutions into consideration when deciding upon jurisdiction disputes between locals and their international parent. My view is that while it means the OLRB will not be able to totally ignore union constitutions, it doesn't really go far enough, because it still will allow for this unprecedented intrusion. I just don't see that this solves the problem or in fact solves the concerns of those who are opposed to Bill 80.

The government has added other provisions around the issues of just cause and concerns when there is interference, but again, I don't know that these amendments go far enough to fix or placate those who are not satisfied with Bill 80. I would agree with them that these amendments don't go far enough.

The government has dropped the requirement that the wages of local union officials who are removed by the international parent continue to be paid during the OLRB deliberations. What I find quite interesting is that the government would feel that it would need to be that precise in its interference and its intrusion, but I'll say—

**The Acting Speaker:** I would like to point out to the member that it was agreed at the beginning of the discussion of this bill that we would not be speaking to the amendments; we would speak to the bill.

**Mr Mahoney:** Yesterday.

**Mrs Caplan:** I understand from my whip that that was the discussion yesterday. This will be the only opportunity I have to speak to the bill, so I'll make all of my comments today as opposed to participating through the clause-by-clause discussions. I know there are many members of our caucus interested in this legislation, and since these have been tabled, I thought I would take this opportunity to speak to them. I have a few minutes remaining and I will be wrapping up.

**The Acting Speaker:** I think it is very clear to all members of the House that the agreement was made yesterday that we would be speaking to the bill. The amendments have not yet been tabled, so they will be discussed at another time.

**Mr Mahoney:** On a point of order, Madam Speaker: I wonder if you could ask the clerk to save the last five minutes for the member, because I think there is some confusion on these amendments that should be clarified before we proceed. I don't want to use up the member's time in raising the point of order, so could we agree to stop the clock for the member for Oriole while I make the point? Is that agreed?

**The Acting Speaker:** Is it agreed by all members of the House that we stop the clock? Agreed.

**Mr Mahoney:** On a point of order, Madam Speaker: It's my understanding, you're quite right, that yesterday the member for Bruce pointed out that we had only received the amendments with some 10 minutes' notice prior to the beginning of the debate. As the Labour critic, receiving it 10 minutes in advance made it virtually impossible for my staff or our research staff or me to have an opportunity to review the amendments and their impact.

So it was agreed that the minister, in his opening remarks yesterday, would not address the amendments that had not been given with sufficient notice and that I as the critic and Mrs Witmer as the critic for the third party, would also not address them, and that's how it went. We didn't speak to the amendments; we virtually ignored them yesterday.

We've now had an opportunity to review them. We have—

*Interjections.*

**Mr Mahoney:** Well, what is this all about? What kind of game are these people playing?

**The Acting Speaker:** To the member—

**Mr Mahoney:** They give us amendments; we have a 24-hour period in which to analyse them; now we'd like to talk about them. Why shouldn't we? Do you want to muzzle us the way you muzzled the labour unions?

*Interjections.*

**The Acting Speaker:** Order. The ruling was made yesterday. We will continue the debate. The member for Oriole has the floor.

**Mrs Caplan:** As I conclude the debate, I think it's unfortunate—

**Mr David Turnbull (York Mills):** On the same point of order, Madam Speaker: I do want to point out the validity of the fact that we were only given these amendments as we were starting the debate. The government cannot expect to give us amendments and that we should be able to respond to them immediately without at least exercising some degree of—

**The Acting Speaker:** I think it is quite clear that yesterday the ruling was made that those amendments are not to be dealt with during this debate. The member for Oriole has the floor.

**Mrs Caplan:** Second reading debate is debate in principle on a piece of legislation. It's my view, from my experience in government, that the government should be willing at any point, once its amendments have been received by members of the opposition, to not want to stifle debate and discussion. What I was doing during my remarks was in fact discussing some of those amendments. Since you've ruled that this is not the time, I would suggest that second reading debate is an appropriate time. However, I will abide by your ruling and conclude my remarks.

1700

At this time, on behalf of my constituents in the riding of Oriole, I'd like to say that I will not be supporting this in principle, primarily because I don't think this should be a priority for the government at this time. I believe economic recovery, which will allow jobs to be created, should be the priority of the government. I believe this is a piece of legislation that is causing unnecessary tension and anxiety within the labour movement, in the construction industry and construction sector. The last thing union members and those who are working and those who want to work in this province need is additional tension and additional stress in their lives.

I believe there has yet to be an explanation of why we even need Bill 80. Until that is forthcoming, I can't support this bill in principle. My constituents in the riding of Oriole deserve better than Bill 80 at this time.

I want to thank you, Madam Speaker and members of the House, for giving me the opportunity to participate in this important debate.

**The Acting Speaker:** I thank the member for her contribution. Are there any questions and/or comments? The member for Don Mills.

**Mr Turnbull:** For York Mills, Madam Speaker. I would agree with the last speaker that the government has not demonstrated the need for this legislation. I just go back in my memory to early last summer, a little over a year ago, when some members of the trade union movement came to my office in York Mills to point out to me that they felt Bill 80 was ill-advised and would be very divisive for the union movement.

It seems curious that a government that has traditionally claimed to be the champion of the union movement would bring in a bill such as this without any demonstrated request from the union movements to bring forward this legislation. We cannot help being a little bit suspicious that this is payoff time for some prominent members of the union movement who may have their own very definite political agenda. Indeed, this seems to be a move towards attacking any international union.

There is potentially some danger to unions if they take a very narrow view of the world and become

purely Canadian unions. We can see that with the auto industry, that the auto unions in the US now are not interested in what happens to Canadian auto workers. Let us hope that Canadian auto workers still continue to have the advantage over the US auto workers so they can continue to have a high level of employment in that industry relative to the US.

There are dangers. I would suggest that in not sharing with us the rationale as to why it has brought this forward, the government is doing itself a disservice.

**The Acting Speaker (Mr Noble Villeneuve):** Further questions or comments?

**Mr Mahoney:** I want to congratulate the member for Oriole because, as she and I and others have discussed, this bill does take some time and effort to wrap your head around in terms of the different nuances and what appear to be games that are being played by the government and to try to understand what all of the problems are. I know the member for Oriole has met with a number of the people in the union leadership in the construction industry, as have I, over the past several months to try to get a handle on exactly what the government's doing.

I think what we've seen here, with the ruling the Speaker was forced to uphold about speaking to the amendments, is an example of the way this government has dealt with the union leadership. As the member for Kitchener-Wilmot said yesterday: "There's no point listening to the ones who are against it. We listen to the ones who are in favour of it."

Now what you're saying is that the minister tables amendments with the critics of the opposition parties 10 minutes before the debate is supposed to take place and when the member for Oriole attempts today, after having had an opportunity to review these amendments, to speak to them, we're told we can't speak to amendments that were tabled with us yesterday. This attempt to muzzle us is incredible. It's obviously what you did with the labour leadership who came to you and said, "We're unhappy with the bill."

I tabled in this House yesterday dozens and dozens of letters from union representatives who don't want Bill 80 to pass and, at the very least, want you to consult with them and set up a committee and discuss the problems, tell them what's wrong. You won't do that. You hand us amendments and then you tell us we can't talk about them. You guys have gone mad. What kind of government are you trying to run? This is a democracy, and in this place we should be able to talk about anything we want.

**Ms Sharon Murdock (Sudbury):** I thank all of the members for the participation in the debate, but in hearing the member for Oriole talk about wanting to speak about the amendment, I would remind her that the member for Bruce stood up yesterday and made a very

pointed remark while another Speaker was in the chair, advising everyone that as long as the minister was not allowed to speak to the amendments that he presented to the opposition critics yesterday afternoon, no one would be speaking to those amendments.

I remember distinctly, as far as I'm concerned and in my understanding of the House, as I'm sure more experienced members who have been here longer know, that second reading debate is a continuous thing, that it does not end on one day and start on another and so on as separate days but is a continuous second reading debate.

I just want the members opposite to understand that that is exactly what happened yesterday; it applies to all of us. I would have liked to have spoken to those very amendments, but I felt I was bound by yesterday's ruling from the chair and therefore could not, and I have prepared comments on that basis.

**Mr Cooper:** I'd like to thank the member for Oriole for participating in the debate. As to justification for this bill, we have here letters and petitions, as has been pointed out by previous speakers, advocating that Bill 80 be brought in.

In terms of the proposed amendments that were given to the opposition members, these are only proposed amendments that have been brought about because of the consultation that has gone on since the introduction of Bill 80. They haven't been to legal counsel yet to be properly drafted. It was intended to give the opposition advance notice of some of the changes we might be making, to facilitate second reading. They will be tabled, once they go through legislative counsel, at the proper time, which would be when it reaches committee. All we were trying to do was help the opposition out by knowing what we were proposing to do through the consultation that did take place with the people who wanted changes.

As for the comment I made yesterday about not consulting with the people who were opposed to Bill 80, what I was saying was that there's not much sense in sitting down and talking to the people who were adamantly opposed to Bill 80 and didn't want any changes to it, just wanted it withdrawn. People who were willing to work with the minister and with his staff, who were broadly consulted, actually did come in, and that's why we had these proposed amendments. We realized they were necessary changes.

That's what we were trying to do, let the opposition know that there were changes that were being proposed that will be brought forward at the committee stage at the appropriate time.

**The Acting Speaker:** This completes questions or comments. The honourable member for Oriole has two minutes in response.

**Mrs Caplan:** It might be helpful for the rest of this

debate in second reading, when we are debating not only the principles of the bill but hopefully will be able to debate the proposed changes that the government is indicating, although informally through proposed amendments, if I could move that there be unanimous consent of the members of the House to permit full debate and discussion during second reading from this point forward, that would allow for discussion of the amendments as well. Could I make that a motion, Mr Speaker?

**The Acting Speaker:** You certainly can. Do we have unanimous consent to debate the bill as amended? No, we do not have unanimous consent.

**Mrs Caplan:** I would point out that all of the opposition members present in the House have voted in support of free and open debate on an issue which is very complex, and that members of the official opposition deplore the action of the government caucus members who denied unanimous consent to allow for full and democratic debate.

Now you see what the problem is with Bill 80 as well as with the approach of this government. They want to stifle freedom of speech and debate even in this chamber and in this Legislature. I will not be supporting Bill 80. I must say, I don't believe it's in the interests of my constituents, but I deplore the fact that members of this government would attempt to stifle debate on an issue of this complexity.

**Mr Mahoney:** On a point of order, Mr Speaker: I don't believe there's a quorum in this place.

**The Acting Speaker:** Do we have a quorum? Could the Clerk check if we have a quorum, please.

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

1710

**The Acting Speaker:** A quorum is now present. Do we have further participants in the debate?

**Ms Murdock:** Bill 80 has been a long and arduous process. I know I have listened to many people both in my riding and in my legislative office on the subject, and we have been discussing it for more than a year in the ministry itself. I have had some difficulty with this bill and make no bones about that, because it does hit upon the essence of how people work together.

But having said that, I have come around to look at many of the things that people have presented to us, and I do see that there are changes. I'm looking forward to committee work after the debate on second reading is done, because I'm sure we're going to hear from many presenters who will give us their suggestions about how this bill can be improved upon and made even better.

Sections under the Ontario Labour Relations Act cover the construction industry separately from any other workplace in the province of Ontario because it is

so different. I heard some of the speakers yesterday refer to the fact that this will open the doors to some of the other international unions. For instance, the steelworkers were used an example, near and dear to my heart, because of course Sudbury is the bed of steelworkers—of my steelworkers, anyway.

But the reality is that in the construction industry, their workplace is not stable, in the sense that there is no physical plant. Unlike the steelworkers, unlike some of the other international unions, they don't have a physical building in which they work. Today, they might be working at 400 University, but next month they could be working up on Eglinton somewhere. In reality, their workplace is so, so different that it requires a completely different section under the OLRA. These amendments under Bill 80 will amend that section.

When it was first introduced on June 25, 1992, the bill as it presently sits and as I will discuss it has since then, so for the past 15 months—we have met with numerous groups, individuals, organizations, both pro and con, on the bill. We have worked very hard in terms of talking over some of the concerns they have for some of these bills. Even today, we've had continuing conversations with both those who are in favour of Bill 80 and those who are opposed. It has been stated by the opposition critics that there are both factors in this bill, and it's very true. That's why I think the committee hearings are going to be so very important in any amendments that occur.

There are two areas of concern under this bill—in our consultations that has become very obvious: sections 138.3 and 138.5. Section 138.5 allows disaffiliation from an international union, and section 138.3 allows an international union to advise its local that it is going to go to change its geographic jurisdiction. In northern Ontario that's of really vast interest to them because our jurisdictions are extremely important in terms of where different locals can work, so those two sections in particular are of great interest. We've been told all different kinds of things about the amendments they would like to see, including completely eliminating the whole section or changing it so that it is more workable.

In our talks with the different groups, I think we have learned a lot of things about the construction industry. I must admit that before I became parliamentary assistant to the Minister of Labour I had little or no knowledge, and probably still have minimal knowledge, about what the construction industry is really like and how it all works. We tend to think of construction as those workers we see on the scaffolds or whatever. We don't realize it covers a broad range of jobs, from boilermakers to sheet metal workers to bricklayers to the carpenters' union and the international labourers. It covers a broad spectrum, and when we look at how that is operating, I think the Canadian members need recognition.

From that aspect—and this is really important—my

feeling about this bill is that those unions that have a positive working relationship with their internationals will in all likelihood never have to implement any of the sections of this bill. In those local unions, on the other hand, that do not have a good working relationship or that have not been recognized by their international as playing an important role on the American scene, the Canadian membership will be able to have more say about their different kinds of plans and so on.

Many of the international locals have already recognized that fact and have been moving towards that. There are a number of the internationals that have allocated time on their convention floor for the Canadian side and then have inclusion in terms of decisions that are being made on pension plans and so on. For those locals that already have that positive working relationship, you're not going to have the same kind of problems. As I said, they will probably never use the sections once the bill passes, whatever form it ends up in.

For those unfortunate locals that do not have that relationship, this at least provides an opportunity or an avenue for them to see if they can possibly have things changed or even use it as a lever—as we know, oftentimes legislation and law is used that way—to have them included in the decisions which are going to be affecting them.

In some of the discussions I've had with a number of the representatives who have come before me in my office, there was some concern about whether this involved interunion problems or disputes, such as the boilermakers and, say, the bricklayers or the ironworkers and so on; that it would be interunion rather than parent to local. I would point out that when the act is read, it's pretty evident both in language and in intent that it does not include that, that it means simply the parent international and the local union and that it's intended for the same organization.

Bill 80 amendments, as I've stated, should make little or no difference to those who are already represented within their international. Following this second reading debate, we'll move into one of the committees—I presume the standing committee on resources development, although I haven't been advised by the House leader at this time; given that most labour legislation ends up there, I would think that's where it's going to go—and when our committee gets into looking at the different sections, I'm expecting to hear many kinds of suggestions as to what we should do under the two sections that are of particular concern.

I know there is still ongoing discussion as to the definition of "intervention" in terms of the working nature of a local. Does that mean that if a business manager isn't doing the work he should do, the international no longer has the right to go in and tell him he can't do that any more? Those are the kinds of ques-

tions that I'm hoping will be discussed in great detail at the committee.

1720

**Mr Mahoney:** On a point of order, Mr Speaker—don't look so impatient, Mr Speaker. There's not a quorum present. I think we should hear the parliamentary assistant's debate and the government members should be in here to listen to it.

**The Acting Speaker:** Could the Clerk check to see if we have a quorum?

**Clerk Assistant and Clerk of Committees:** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**The Acting Speaker:** A quorum is now present. The honourable member for Sudbury may resume her participation in the debate.

**Ms Murdock:** Just in regard to section 138.3, and that's where the jurisdiction is occurring, I know that this for some is a complicated matter because, as I said, the construction industry being so very different than any other industry in the trades, it is very complex in its nature. But just looking at the existing bill in terms of subsection 138.3(1) where, "A parent trade union shall not alter the jurisdiction of a local trade union, whether established under a constitution or otherwise, as the jurisdiction existed on the 1st day of May, 1992 unless the local trade union consents to the alteration," I know that a lot of people here and among my own caucus members have talked about the whole idea of that just making common sense. Why would you even have to put that in, because logic says that it should prevail. But there have been examples within the province of Ontario historically that this is not the case, as I said, in those locals and internationals that don't have a good working relationship. So there are reasons for it being there.

I've listened to the opposition tell me and tell us that there's no rationale for putting this forward. But I've been told, although I wasn't a member of this House, that the previous Premier, David Peterson, brought a private member's bill on this very subject matter to the House. I would say that obviously it's been a long-standing issue. Instead of having it done and discussed in backroom situations or behind closed doors or, as has been intimated by the member for York Mills, that there's some agenda going on, I would think that it would be much more logical to have it, as I said, after second reading go before committee and discuss it openly on the record and have the pros and cons and the reasons stated clearly and unequivocally.

I think that subsection 138.3(2) is probably a very reasonable one. "Two or more local trade unions of the same parent trade union may agree to having the parent trade union resolve a difference concerning their jurisdiction and, if they do, subsection (1) does not apply to

the extent necessary to resolve the difference." Again, a lot of times it's just putting in words something that people would think would be common sense.

Subsection 138.3(3) is: "An interested local trade union or employer may apply to the board to resolve a difference concerning the jurisdiction of two or more local trade unions of the same parent trade union. Section 93, excluding subsections 93(4) to (7), applies with respect to the application." Again, as I said, I think we could probably spend days discussing that section alone, and I'm looking forward to going into committee on this.

The section 138.5 disaffiliation provision is going to be one that will no doubt cause much consternation. I know that when this was introduced on June 25, 1992, it certainly raised the hackles of many, many people who came and made presentations to me at the office and made telephone calls on the subject, that being, "The parent trade union or a council of trade unions shall not, without just cause, assume supervision or control of or otherwise interfere with a local trade union directly or indirectly in such a way that the autonomy of the local trade union is affected." I think the operative word in that whole section is "autonomy."

There have been concerns stated by those people who favour Bill 80 that they do not believe or feel they have as much say in their own day-to-day operations as they would like to have. I think that's one of the reasons why the minister has been so strong in bringing this bill forward. He wants the workers to feel that they have some say in how their place is going to be operated.

In closing, and I'm not going to use my full 30 minutes, I just want to say that I think it is really important in these committee hearings that those people who want to make representations before the committee should notify the clerk or write letters and make sure that the committee gets their side in regard to the specifics of it.

I will not speak to the amendments, as the Deputy Speaker yesterday mentioned. As I've already stated, I would rather have liked to, because I think that really does change the two sections that I have mentioned specifically. So I'm looking forward to hearing those presentations in committee and I thank everyone for listening.

**The Acting Speaker:** Questions or comments?

**Mr Mahoney:** I think the parliamentary assistant has at least tried to justify or explain to us that there were in her constituency some people supporting this. Rumour has it—I don't know how true—that the member was strongly opposed to the bill until certain amendments took place, but of course now she's sticking to her procedural guns in refusing to allow us to discuss any of those amendments.

It seems rather incongruous that we would debate a

part of the bill that has to do with mobility of people in the construction union when in fact the minister has sent over some amendments which we've now had an opportunity to analyse and read at least and form some opinions on, and one of those amendments that we're not supposed to talk about deals with the mobility section right in the bill.

So even though we can't talk about the fact that we hear a rumour, or see a rumour, I guess—you could only call it a rumour on paper, since we can't talk about it—that the minister is going to make some amendments, we then went and analysed these non-amendments that we're not allowed to talk about and came to the conclusion that there are perhaps some back doors occurring and that in fact mobility may continue to be a problem. I wonder how the parliamentary assistant would react if indeed she found out that this mobility section, even with this non-amendment that we can't talk about being put forward—if in fact mobility was restricted through some other part of the legislation that exists. I don't know if she would have concerns about that. I sure do, and I can tell you the leadership and the labour movement sure do, and maybe she could comment on whether or not she's satisfied with these non-amendments without talking about them.

1730

**Mr Elston:** I have to say that there's much ado being made about the problem of speaking to amendments that don't yet really exist. I am the person who stood on a point of order when the Minister of Labour stood to open debate on second reading, and I understand, from the way this place works, that amendments don't officially exist until they're tabled at a stage of deliberation when they can be received. That is the essence of the problem: They cannot yet be received by the Legislative Assembly. But what has taken place to this point is that much ado has been made by the Minister of Labour about having heard people and having made changes that are going to make a world of difference to the bill we are discussing.

Our dilemma is that we are then asked to go through a second reading which is largely a displacement of time, because the Minister of Labour says, "These things no longer exist as problems because I've consulted, I've heard, I've deliberated and I've addressed the problems the way I think is best." He can do that. He can meet and he can talk to people and he can make decisions. That's up to him. But one of the things that is perplexing to us as legislators is the fact that just as he rises these materials are dropped on our desks and we have no chance or prospect of preparing to deal with the issues as they currently exist in the Legislative Assembly.

That is problematic, because here we are dealing with a minister who no longer believes in the manner in which he introduced the legislation as being a reason-

able contribution to problem-solving. We're asked to pass on second reading, on a matter of principle, the bill so that then we can go in and change some of the principles upon which it was based originally. That's our difficulty and it tells me a great deal about how the New Democrats are actually working in this province.

**The Acting Speaker:** Thank you. The member's time has expired. Further questions or comments? Seeing none, the honourable member for Sudbury and parliamentary assistant to the Minister of Labour has two minutes in response.

**Ms Murdock:** In regard to the mobility issue, I would say that yes, I did question my ministry staff in regard to that. Having read the language, I didn't see the same concern. I guess maybe that's speaking as a lawyer, and I don't know whether that's good or not, but you're a lawyer too.

The other thing is that what my staff is relaying to me, and I have good reason to believe them, is that there is no expectation of a problem, unless the jurisdiction, such as the Quebec situation, which Ontario is in the meantime going to hold at bay for a while, already prevents mobility.

In regard to the whole question of these amendments that are not accepted until we get into the clause-by-clause stage, I would say it certainly teaches us a good lesson because, frankly, here we are—and I'm sure Minister Mackenzie was thinking he was being extremely helpful in providing to both critics the ideas that we have been consulting with for over 15 months of discussion, and they've been changed numerous times. He thought he was being helpful by providing them to both critics and instead we have ended up with this harangue over this whole incident, which basically does teach one a lesson: Instead of trying to be helpful, you just will not provide it the next time and then you won't have to get into mountains over molehills.

**The Acting Speaker:** Further debate?

**Mr Mahoney:** That's better than providing them and then muzzling us. Don't give them to us and say you can't talk about it.

**Ms Murdock:** It wasn't we who said you couldn't talk about it.

**The Acting Speaker:** Order, please. The honourable member for Bruce has the floor.

**Mr Elston:** It's an interesting discussion. I think that largely we should move on from this. It really revolves around a difficulty with our legislative process in the fact that if you first introduce a piece of legislation, then you're not allowed technically to talk about amendments that are not able to be received by the House. That's our problem. The only issue we were trying to get at yesterday was that if we cannot prepare ourselves to speak about them, then no one should be able to elaborate on them in trying to defend the

passage of the bill on second reading.

I'm sure that for a lot of people out there—I hesitate to use "television land"—it seems like an awful lot of discussion about nothing, but in actual fact it is a real inhibition as to discovering the exact state of affairs, as they now exist, in the Minister of Labour's shop among himself, his advisers and his parliamentary assistants with respect to the progress made or seen to be made on this bill.

Here we have second reading of a bill that was introduced in June 1992. No question that it has taken some time to get this far. No question that it probably took a little bit of time to get into the form in which it was introduced.

Having come this far, here we are left to debate a bill as it was in June 1992 when other things have taken place, and that's a problem for us. That is a problem for us because we as legislators are not allowed officially to be cognizant of the fact that other things are going to be changed.

Having said that, I look at this piece of legislation from a different point of view, I guess, than some. I have in my riding both people who are supporters and people who are opponents of this particular legislation. There are individuals who have been in my office, people whom I know very well, who are long-working and hardworking members of some locals in my area, who support this. I have had visits from people from around the province who support it. I have had people with whom I have met and with whom I have shared a long-time understanding on several items of social—

**Hon Howard Hampton (Minister of Natural Resources):** I doubt it.

**Mr Elston:** The Minister of Natural Resources says that he doesn't think I can have understandings with people who are in the labour movement. I'll tell you, you know something I understand with people who are in the labour movement? I understand the need to be fair to the people at Ontario Hydro. I understand that the people who are at CUPE 1000 need to be dealt with fairly instead of just being thrown out, which of course is the way that the New Democrats are looking on that exercise and happily looking at the number of men and women who are being displaced. I believe that there are people who should be rewarded for long-term work and contribution to the province of Ontario's economic viability.

**Hon Shelley Martel (Minister of Northern Development and Mines):** Who caused the debt at Hydro?

**Mr Elston:** It seems to me that the New Democrats have this blinker on that says, "If you aren't a New Democrat, you can't share anything in common with the women and men who are members of the trade union movement in this province." I'll tell you that you people had better wake up and understand that there are other

people who have a really strong sense of attachment and affiliation for the men and women who do work in this province.

There aren't as many men and women who work in this province, thanks very much to people like Bob Rae and the Treasurer. He doesn't want to be called Treasurer any more. My goodness, the Treasurer is now the Minister of Finance. The province of Ontario has a Minister of Finance so it can put more men and women out of work and be happily entitled to do it under some other name.

**Hon Miss Martel:** Don't blame us for the problem at Hydro.

**Mr Elston:** But anyway, let's just put it quite clearly on the plate: To anybody over in the New Democratic Party who doesn't think the Liberal Party of Ontario has strong affiliations with people, men and women, in the trade union movement, put that aside, because you are in for a very rude awakening indeed.

**Hon Miss Martel:** We got a rude awakening in the election when the budget wasn't balanced. That's when we got a rude awakening.

**The Acting Speaker:** Order, please.

**Mr Elston:** Mr Speaker, the poor member for Sudbury East has been quiet for so long. She's been prattling on all afternoon and I hope that she isn't going to be so silent for the rest of the session. She hardly speaks in here any more.

**Hon Miss Martel:** Keep speaking, Murray, and I will keep going too.

**Mr Elston:** She's hardly here to answer the problems that she creates in her Ministry of Northern Affairs and Mines.

**Hon Miss Martel:** What problems are those, Murray?

**Mr Elston:** I can't imagine why she would want to be here and not be able to speak to the bill. Here I am, trying to address all of the problems in this particular bill and—

**Hon Miss Martel:** You haven't talked about the bill yet.

**Mr Elston:** —the member for Sudbury East is having a huge amount to say, but she won't stand up on her feet and talk about any of this stuff, except by way of interjection. She's free to speak; she can speak after I'm finished.

**Mr White:** What bill are you talking about, Murray?

**Mr Elston:** I'm speaking about Bill 80 and I was talking about the people in my riding who'd come to see me and the members of the trade union movement with whom I have a long-standing association and you people have been saying I have nothing to do with them.

*Interjections.*

**The Acting Speaker:** Order. Interjections are well out of order. The honourable member for Bruce, please address the Chair and it may help to some degree.

**Mr Elston:** Mr Speaker, I don't understand how it's going to help to address the Chair when I had been addressing the concerns to you initially and they started saying out loud that I had no business speaking about members of the trade union movement because there aren't any of them who have any affiliation with me and that they couldn't image them ever wanting to be associated with me. That particularly is a misrepresentation that must be corrected, and that was all I was doing, replying to those people over there who don't know the true state of affairs.

As I was saying when I was interrupted by the Minister of Natural Resources, we've spent a great deal of time listening to the concerns that have been brought forward by those people who are opposed to this bill, and there is a whole series of issues about which this bill does nothing. When I sit back and look at it and when I think about what is happening with this particular piece of legislation, it is very obvious that what the government of Ontario has decided to do is to put itself smack dab in the middle of the affairs of the union movement in the construction industry in this province.

1740

They have not left themselves on the sidelines to be arbiters, to be mediators of the problems that exist as among the members of the union movement, but they have decided that they will jump full square, with both feet, into the middle of issues which they believe only they should have the right to resolve, and that's a problem for me.

**Mr Anthony Perruzza (Downsview):** No, Murray. We're going to leave some for you to resolve.

**The Acting Speaker:** Order, please. The member for Downsview does not have the floor. Interjections are out of order. The member for Mississauga West.

**Mr Mahoney:** On a point of order, Mr Speaker: I don't believe there's a quorum once again, for the third time in about the last half-hour.

**The Acting Speaker:** Will the Clerk check to see if we have a quorum.

**Clerk Assistant and Clerk of Committees:** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**The Acting Speaker:** A quorum is now present. The honourable member for Bruce may resume his participation in the debate.

**Mr Elston:** One honourable member suggests the NDP don't want to solve all the problems, that they want to leave some for us. That's fine, but I can tell you, by interjecting themselves through Bill 80 full square into internal union problems, they are creating new problems.

There isn't any question in my mind that the decision taken by this Minister of Labour to do these types of things is exactly the type of action which, had it been done by either a Tory or a Grit government, would have attracted a huge outcry, almost a revolt, among the members of the New Democratic Party, because they would have said that it is unjust, it is unfair, that you should leave the union movement to deal with its own issues.

To be quite honest, I would have agreed with that. From time to time, I can agree with some of the positions of principle taken by the New Democrats—not often, but sometimes. One of them is in relation to the democracy around the trade union movements. I believe that people should be able to decide a good number of the things they do on their own. That they have a structure that is there now is quite clear, but the Minister of Labour for some reason has decided to push his way on to the floor and say, "It will be my way or the doorway." In fact, for some purposes, the doorway has been made very large indeed for those people who are opposed to the legislation as it now sits.

This bill in some ways reminds me exactly of what occurred here last week, when we had a disciplining of the member for Wentworth East, when he was taken from a committee because he didn't do certain things that the New Democrats thought he should. The motion was made. The legislative forum was used to penalize that particular person.

In this circumstance, I think it might bear up under scrutiny to say that the New Democratic Party, through the Minister of Labour, has decided to discipline the construction unions, using Bill 80, for things they have not done; that in fact what they are doing with this piece of legislation is again exercising the principle of brute force about which I spoke here last week. Bill 80 puts the government right inside the union movement in the construction trades. There isn't any question in my mind that that has occurred.

If we take a look at the things that the construction unions don't normally do, it might tell you a great deal about why the Minister of Labour has taken it unto himself to do these things to the construction trade union movement. What are those things? Well, maybe they don't always support the New Democratic Party, which I think would probably bear up under a fair bit of scrutiny. Maybe they don't send money regularly to the New Democratic Party, which I think probably will bear up under some scrutiny. Maybe the fact that some of those things are on the table and are well known will tell you why the Minister of Labour, against very good advice, very strong advice from union leaders not only in Ontario but across Canada not to proceed with this, has decided to do it anyway.

There is a whole group of people who have counselled against this. The brute force argument is an

interesting one for me, because there is one thing that the New Democrats have proven to me in their very short tenure here: that they don't lack nerve when it comes to showing that they have power and that they are prepared to use that raw power to beat down and beat up on any organization that resists them or doesn't do exactly as it is told. Examples are numerous, and I think Bill 80 is just one of those times when a very blunt legislative instrument is being used to show how much brute force the New Democrats are willing to use.

That is probably one of the best reasons I know of to get this government out of here. There is no place, in my view, in democratic Ontario to have a Minister of Labour and a government counsellor the use of this type of legislative agenda to undermine the trade union movement leadership, to force its way on to the trade union membership in this province. I just don't countenance that type of use of legislative power; nor do I like the use of the legislative forum to give it some sense of legitimacy, because I believe it does not have it if the women and men who are members of the trade union movement, about which we are speaking here today, have not decided on their own that certain steps should be taken.

I don't know when it was or how it was that the New Democrats actually came to decide that they should be taking away the rights of the individual members of the construction trade unions. I don't know when it was or how it was that they decided that all of the things that used to be the subject matter of their speeches about democracy in the trade union movement, about the need to hold up the rights of men and women in this province, escaped their memories.

I don't really care now when that first occurred. All I care about is that this piece of legislation does speak to those things. Oh, it's cleverly disguised, because it does talk in terms of moving the international into a repatriated trade union movement, and it is always difficult, as a legislator, to resist the compelling arguments being made by those people who use the flag of our province and our country as a shelter.

But it is being proposed that these steps are being made against the advice of a huge number of women and men in the trade union movement who are to be affected—against their interests, some have told me. It's not unanimous, because there are people who wish to proceed with this, but there is a huge number who are opposed to this type of infiltration of government into the labour movement.

I don't understand that. I don't countenance that type of activity. I understand that there will be people who will write me letters and say: "How dare you resist the movement of the trade union into a national circumstance, a repatriation of our right to manage pension plans, a repatriation of our right to manage those disability plans that are held now in construction

industries? How can you speak against membership on those boards to manage for the interests not only of the members but of their dependants who are left, to call upon disability coverage and pension plans?"

For me, I can't argue against those principles if they've been voted on by the membership at large, if they've been sustained and countenanced by those people. But for some reason the member for Hamilton East has decided that it's going to be his way or no way.

He has talked to people. I was talking, as the member for Mississauga West was, over the last several months with a series of individuals who are involved in the trade-labour movement who have in fact been talking with Mr Mackenzie. But it is fair to say that as they went in to make contact with the minister and whoever else was around him, they were apprehensive about the prospects of success and that in fact from time to time when it appeared there was movement, something else would happen that would allow slippage to occur as the arguments were made.

#### 1750

It may very well be that amendments will be brought forward here in due course that will sustain the argument that changes have been made and, as we look at the layout for prospective amendments which has been provided to us, it appears that there will be some real movement in at least one area.

But cleverly, just as this whole bill has been designed cleverly, there will be loopholes or there will be back doors, as another of our members has called it, that will allow the same thing to occur, as though for some reason the people who are drafting these ideas somehow believe we're not smart enough to take a look at the whole legislative scheme. Somehow or other, we will be moved to vote in favour of legislation because of these changes, because we believe it's all been fixed, when in fact now we've been trained during the course of this Parliament to look for the tricks, to look for the hidden meanings, to look for the hidden sections, to look for the subtle but oh-so-useable words in the legislation that allow the government to do exactly as the very first announcement said it was going to do.

That's a problem in this legislation. It exists in its June 1992 form in front of us now, but it exists in the minds of the Ministry of Labour, in the minister's mind and in the minister's parliamentary assistant's mind in a different form. It exists in the minds of those people for and against in a different form than it is now in front of us because certain undertakings have been given, certain suggestions have been made, commitments have been delivered, prior to the bill coming in for second reading. Those people expect those changes to be made, but nobody's seen them.

We have seen time and again that the commitments, when it comes down to actually fixing the problems,

oft-times do come up very short indeed of the mark which was first set out. I suggest that in Bill 80's situation, that is the case. Why would we be told that these problems will be fixed? It is because for months now, since this was introduced in June 1992—actually, probably the fall of 1992—we have been hearing about this legislation and because of the mixed review we received in our constituency offices and in our offices here in Queen's Park from people coming to make representations both first to the member for Mississauga North and then to the member for Mississauga West, we have been suggesting to the government House leader that very serious problems were in the offing if this bill were proceeded with in its current form. We were told by the member for Hamilton Mountain, who is the government House leader, not to worry, discussions are under way, there are concerns being addressed even as we meet, and that occurred all last fall and well into the spring sitting.

We suggested, as we were having problems getting out of here in the summer, that if we could see the amendments we were being told were on the way, we would be able to probably proceed much more quickly with Bill 80, but that we had to remind the Minister of Labour through the government House leader that if there was no movement being taken with respect to 80, if there was no consensus being developed among the people who were interested, considerably more time for debate would be the order of the day. It was accepted as a reasonable piece of advice from the member for Hamilton Mountain for him to take back to the Minister of Labour.

We were thanked for that and I don't think it was any new revelation because, in actual fact, I don't believe there was anybody on the New Democratic Party side of the House who has not heard about the controversy around Bill 80. In fact, I know several of the members who have been involved in the union movement have been approached both by the pro and con but probably even more diligently by those people who are against some of the changes being made. They are well aware of the controversy that surrounds the changes to be made.

It's not just the sections. As I said earlier, it is the whole idea that the government of the day can inject itself into the middle of problems that are in the trade union movement and say, "This is it." As a principle, that is problematic for me, because no longer are the men and women deciding; it is being decided by a bureaucrat someplace or an adviser to a minister. I don't care whether it's a Liberal or a Conservative or a New Democrat; I don't think that's the healthiest place for these things to be decided.

In any event, we provided the advice, and I think the member for Hamilton Mountain knew exactly that the controversy existed. So it came to a stage when he said,

"Listen, this is not going to go; the meetings are still taking place," and as August wore on and the members wore out here in 1993, the issue was put aside.

At one point, we thought perhaps it would be some time before Bill 80 came back, and it was somewhat of a surprise to me, because we were unable to have a House leaders' meeting prior to the commencement of this session on September 27, that we would be moving forward with Bill 80 as quickly as it ultimately has come. My advice from the people who had been speaking to the minister and who had been working on ways of relieving the pressure points was that progress had been painfully slow but that there appeared to be at least some progress from time to time.

It wasn't until last week of course that we were told that on Monday and then today and again on Thursday of this week, we would be dealing with Bill 80, as though at least in some form it would become acceptable to the opposition, that we should feel secure in the knowledge that the consultation had delivered some changes which would relieve our concerns.

That's where we come to the issue of the amendments not being made available. We've talked about that enough. Needless to say, it appears that the same concerns are at the very root of this bill. There may have been a suggestion that there will be amendments that will clear up one particular section, but the other sections, which leave us open to other abuses, are apparently still to be left untouched.

It would be helpful, Mr Speaker, as we move further in this debate, if the Minister of Labour could be sure that he can provide us with the actual worded amendments. It would assist us in our deliberations in front of committee, because, as you know, after the passage of second reading—I'm only guessing, but my counting lately has indicated that the New Democratic Party still has enough people to carry the day here no matter what the opposition says—the next stage will be the committee hearings. I suspect there will be public hearings. I suspect that if the issues are certain ones, if they are as they exist here, more people will want to attend than otherwise.

If we know for sure that the amendments will be tabled, then some deliberation on the public issues will not have to be made. We won't have to deal with a certain section about disaffiliation, perhaps. If some other changes are made, we won't have to be concerned about some of the back doors that allow that to occur and we can dispense with the time required.

Mr Speaker, you can see that providing us with those amendments makes it somewhat more than just a courtesy, because it really does allow us to order our business in a way which allows us to be most effectively pointed to the issues that are left outstanding in the legislation. Lest there be any problem about what I'm saying, just know that there are still problems in this

bill as it stands for the trade-labour movement. There are still many problems, even with the suggestions that are being made about amendments.

I see that it is almost 6 o'clock. I have but a few minutes left, but I would wish to carry on on Thursday when we come back. If we could have some more delineation of this material before Thursday, perhaps we could be assisted even further in our deliberations.

**The Acting Speaker:** Pursuant to standing order 34, the question that this House indeed do now adjourn is deemed to have been made.

**1800**

#### VITAL SERVICES FOR TENANTS

**The Acting Speaker (Mr Noble Villeneuve):** The member for York Mills has given notice of dissatisfaction with the answer to a question given recently by the Minister of Municipal Affairs. The member for York Mills will now have up to five minutes to debate the matter at hand, and the parliamentary assistant to the Minister of Municipal Affairs, the honourable member for Durham Centre, will then have five minutes in response.

**Mr David Turnbull (York Mills):** Thank you, Mr Speaker. The reason I filed my dissatisfaction yesterday was because we got a totally partisan answer rather than an answer to a very real problem that some of my constituents are having, and I would like to set the scene a little more fully than I was allowed to do in a question yesterday.

Back at the end of 1992, the tenants at 1002 Lawrence Avenue East started to have difficulties with their landlord. The landlord was a new landlord who had just acquired an old apartment building, and he had devised a scheme which somewhat skirted the laws which prohibit co-op conversions. What he was doing was selling shares in the building which, very coincidentally, were approximately equal to the proportionate share of an apartment in that building.

The owner of the building tried to induce the tenants at first to buy those units, which was fair enough—well, not to buy the units but to buy shares, and they just happened to be living in the building. To the extent that they didn't want to buy them, he then started using coercive methods to get the tenants out.

You may recall that in January or February of this year there were news headlines that George Chuvalo and some other ex-boxer friend of his were in fact in this building, apparently as superintendents of the building, and were using very brutal tactics in terms of verbally intimidating the tenants. The objective was quite clearly to get the tenants to move out so that those people who wanted to move in and buy a share in the building were able to get occupancy.

By this method he was able to separate the legal requirement that you couldn't give any commitment to

occupancy of a unit along with a share in the building, but just coincidentally they happened to have vacant space that the people would move into and the landlord would then renovate just that unit of the building.

These intimidations proceeded, after the time that Chuvalo was dismissed from the property, with such things as electricity going off, lights being out in the hallway, garbage not being removed, the building to be generally in disrepair and to be dirty, and I had many exchanges with the Minister of Housing, both on the floor and in committee, regarding these problems.

As late as last month, Consumers' Gas posted a notice on the building that it intended to cut off service if the gas bill was not paid. The tenants took a calculated risk: They put their rent together before paying it to the landlord and took off that amount and paid Consumers' Gas to ensure continued service of gas.

The solution that I felt was most appropriate to this problem was to enact a bill similar to the London bill which was passed this year, Pr13, which allowed the city of London to pass a vital services bylaw. It seems unreasonable that municipalities have to apply to the Legislature each time such legislation is needed. In fact, I asked the minister whether he would support such a bill—preferably, take over my private member's bill—which would allow any municipality to do this. If he would take it over, we could expeditiously move this through the House so that the municipality could arrange to have the furnace fixed and the tenants could get heat.

The tenants are enduring temperatures of 60 degrees, 61 degrees, and they cannot find their landlord. I asked the minister whether he would respond to this. He didn't respond in writing and he gave me a totally politicized answer. I'm asking today, will he not support this bill, take it over, or at least support my private member's bill so that the tenants can be protected?

**The Acting Speaker:** The honourable parliamentary assistant and member for Durham Centre has up to five minutes in response.

**Mr Drummond White (Durham Centre):** I want to thank the member for York Mills. He has done an excellent job representing some of the tenants in his riding. It's a deplorable situation that my friend's tenants and constituents face. Tenants are suffering from a deprivation of basic and vital services, as his bill suggests. Frankly, this is a deplorable situation, and he needs the cooperation of all present, certainly in the ministries and in his local municipality, to address this very pressing issue.

Frankly, I'm glad to see that my friend has realized that his tenants have rights as well as the landlords. I recall the discussion he put forth in regard to Bill 4 and Bill 121, the Rent Control Act. I'm glad to see that he's joining my colleagues from Yorkview and Downsview,

Mr George Mammoliti and Mr Perruzza, in fighting for the rights of tenants in his constituency and his city. He probably knows that the city of North York already has many of the powers it would need to address those issues. Through the Municipal Act, they have the power to set minimum heat bylaws, for example, and the Planning Act allows them to replace a furnace and charge the owner and allows them to make important structural changes.

My friend brings forth the bills for the city of Ottawa, brought forth by the Liberal member Mr Chiarelli, or Bill Pr13, An Act respecting the City of London, which was brought forth by one of my colleagues, the member for Middlesex, Ms Mathyssen. Of course, there's also a bill from the city of Toronto. Those bills are private members' bills, such as my friend is wanting to introduce. They are permissive bits of legislation. They would allow a city to assume; they would say, as my friend's bill says, that the city "may" introduce bylaws in terms of vital services.

That's important. It's absolutely essential to make that distinction. What my friend is doing is trying to enable his city to look after the needs of its tenants, its residents, and I think that is essential. I would urge him, along with my colleagues from Yorkview and Downsview, to take up this cause, to approach, as he is a senior and respected member of his community, his city councillors to ask them to request this kind of legislation or to assume the powers it would offer. These are essential points.

I'm sure that along with my colleagues he could get that legislation passed that he's looking for, either of a general application or specific to the city of North York.

But as it presently stands, George Dixon, the city solicitor for the city of North York, has on behalf of that city indicated that the city is not interested in applying for private legislation and, if it did have such private legislation, wouldn't be interested in passing the bylaws. They wouldn't be interested in taking up the causes of the tenants in the city of North York.

For those reasons, it is essential that my friend not only use the venues that he has, and he has wisely done so, to copy some of the legislation which already exists for other communities; not only should he be doing that, but he should, along with my friends from Yorkview and Downsview, Mr Mammoliti and Mr Perruzza, be working hard with the councillors of the city of North York to ensure their cooperation in putting those bylaws into place and in enforcing them. Without the cooperation of the city, his bill would not serve as he would wish it to: It would not protect those tenants; it would not protect them from the harassment and from the degradation of their living space. He has a right, and he should do everything he can, and he is. But he cannot be effective unless he also works with the city.

I'm sure my minister and my colleagues will, along with him, do all they can to ensure that those tenants are protected, that this kind of legislation will go into place. But there are some 829 municipalities in this province. To get the consultation we need with all 829, and not with the three we have now and the city of North York, is a fair stretch as yet.

**The Acting Speaker:** This completes legislative business for today. Therefore, this House stands adjourned until Wednesday, October 6, at 1:30 of the clock.

The House adjourned at 1812.







## CONTENTS

Tuesday 5 October 1993

<b>MEMBERS' STATEMENTS</b>	
<b>Meals on Wheels</b>	<b>Justice system</b>
Mr McLachlan .....	Mr Harnick ..... 3243
<b>AIDS Awareness Week</b>	Mrs Boyd ..... 3243
Mr Jim Wilson .....	<b>Teachers' dispute</b>
Mr Frankford .....	Mr Huget ..... 3244
<b>Seniors' health insurance</b>	Mr Cooke ..... 3244, 3245
Mr Elston .....	Mrs Cunningham ..... 3245
<b>Plant closure</b>	<b>Police complaints</b>
Mr Elston .....	Mr Murphy ..... 3244
<b>Forest industry</b>	Mrs Boyd ..... 3245
Mr Jordan .....	<b>Midwifery</b>
<b>Oliver Hodges</b>	Mr Malkowski ..... 3246
Ms Carter .....	Mrs Grier ..... 3246
<b>Political party leaders</b>	<b>Grandview Training School for Girls</b>
Mrs Caplan .....	Mrs O'Neill ..... 3246
<b>Food drive</b>	Mrs Boyd ..... 3246, 3247
Mr Jackson .....	Mr Jackson ..... 3247
<b>Tobacco smuggling</b>	<b>PETITIONS</b>
Mr Mills .....	<b>Education financing</b>
<b>ORAL QUESTIONS</b>	Ms Poole ..... 3248
<b>Tobacco smuggling</b>	<b>GO Transit</b>
Mr Conway .....	Mr Tilson ..... 3248
Mr Christopherson .....	Mr O'Connor ..... 3250
Mr Cleary .....	<b>Pickering airport land</b>
<b>Cancer treatment</b>	Mr O'Connor ..... 3248
Mr Elston .....	Mr Wiseman ..... 3249
Mr Rae .....	<b>Long-term care</b>
<b>Small business</b>	Mrs Sullivan ..... 3248
Mr Carr .....	<b>Health cards</b>
Ms Lankin .....	Mrs Witmer ..... 3249
Mr Arnott .....	<b>Casino gambling</b>
<b>Health cards</b>	Mr Bradley ..... 3250
Mr Jim Wilson .....	<b>Health care</b>
Mrs Grier .....	Mrs Sullivan ..... 3250
<b>Highway safety</b>	<b>Roman Catholic schools</b>
Mr Offer .....	Ms Murdock ..... 3251
Mr Pouliot .....	
<b>FIRST READINGS</b>	
<b>City of Kingston Act, 1993, Bill Pr59,</b>	
<i>Mr Gary Wilson</i> ..... 3251	
<b>Institute of Municipal Assessors Amendment Act, 1993, Bill Pr50,</b>	
<i>Mr Perruzza</i> ..... 3251	
<b>SECOND READINGS</b>	
<b>Labour Relations Amendment Act, 1993, Bill 80, <i>Mr Mackenzie</i></b>	
Mrs Witmer ..... 3251, 3254	
Mr Cooper ..... 3253, 3267	
Mr Arnott ..... 3253	
Mr Stockwell ..... 3254, 3256	
Mr White ..... 3254, 3257	
Mr Mahoney ..... 3256, 3266, 3269	
Mr Elston ..... 3257, 3270	
Ms Lankin ..... 3257	
Mr Offer ..... 3258, 3262	
Mr Sutherland ..... 3261	
Mrs Caplan ..... 3262, 3267	
Mr Turnbull ..... 3266	
Ms Murdock ..... 3266, 3267, 3270	
<b>ADJOURNMENT DEBATE</b>	
<b>Vital services for tenants</b>	
Mr Turnbull ..... 3275	
Mr White ..... 3275	
<b>OTHER BUSINESS</b>	
<b>Visitor</b>	
Mr Curling ..... 3247	
<b>Correction</b>	
Ms Churley ..... 3247	
Mr Eves ..... 3248	

## TABLE DES MATIÈRES

Mardi 5 octobre 1993

<b>DEUXIÈME LECTURE</b>	
<b>Loi de 1993 modifiant la Loi sur les relations de travail, projet de loi 80, <i>M. Mackenzie</i> ..... 3207</b>	

CAZON  
XI  
DTE

No. 65



Nº 65

ISSN 1180-2987

## Legislative Assembly of Ontario

Third Session, 35th Parliament

## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

## Official Report of Debates (Hansard)

Wednesday 6 October 1993

## Journal des débats (Hansard)

Mercredi 6 octobre 1993



Speaker  
Honourable David Warner

Président  
L'honorable David Warner

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



### **Hansard on your computer**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. Sent as part of the television signal on the Ontario parliamentary channel, they are received by a special decoder and converted into data that your PC can store. Using any DOS-based word processing program, you can retrieve the documents and search, print or save them. By using specific fonts and point sizes, you can replicate the formally printed version. For a brochure describing the service, call 416-325-3942.

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

### **Subscriptions**

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Lists of members**

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month. A list arranged by riding and including ministerial responsibilities appears on subsequent Mondays.

### **Le Journal des débats sur votre ordinateur**

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Ces documents, télédiffusés par la Chaîne parlementaire de l'Ontario, sont captés par un décodeur particulier et convertis en données que votre ordinateur pourra stocker. En vous servant de n'importe quel logiciel de traitement de texte basé sur le système d'exploitation à disque (DOS), vous pourrez récupérer les documents et y faire une recherche de mots, les imprimer ou les sauvegarder. L'utilisation de fontes et points de caractères convenables vous permettra reproduire la version imprimée officielle. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

### **Renseignements sur l'Index**

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

### **Abonnements**

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.

### **Listes des député(e)s**

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et dans le numéro du premier lundi de chaque mois. Par contre, une liste des circonscriptions inscrites dans un ordre alphabétique et comprenant les responsabilités ministérielles paraît tous les lundis suivants.

Wednesday 6 October 1993

The House met at 1333.

Prayers.

#### MEMBERS' STATEMENTS

##### NORTHERN LIBRARY SERVICES

**Mr David Ramsay (Timiskaming):** I was recently informed that the Ministry of Culture, Tourism and Recreation is considering the option of amalgamating Ontario Library Service-North and the southern Ontario library system to form a single agency.

The two jurisdictions have very little in common. The south has all the advantages of population base, ease of travel access, a plethora of libraries and other related institutions. Northern Ontario libraries are very few in number and act as a lifeline to culture, knowledge, recreation and study.

The Ontario library system developed from the library cooperatives. These were grass-roots developed and aimed at helping address differences between northern and southern Ontario libraries. OLS-North is governed by a board elected in the north and responsible to the north. It is designed for the north and the staff is located in northern Ontario. It is very familiar with the north and its libraries.

OLS-North offers a variety of services not offered by the southern system, and it would be devastating to lose this support base. It offers county-type services, library services to unorganized areas and a professional advisory service to library boards and staff. It also offers annual training conferences, regular workshops and northern Ontario cataloguing services.

The NDP government is planning to amalgamate the two systems, therefore destroying the unique nature of OLS-North. If this amalgamation is allowed to go forward, geography and demography would dictate a south-dominated system and a structure for a province-wide body that would also suppose a southern location for the headquarters and administration.

I would like to ask the minister responsible to review this matter and to make sure that there is appropriate consultation and input from northern Ontario libraries and that the concerns of the north be addressed before this matter proceeds any further.

#### ORILLIA JAZZ FESTIVAL

**Mr Allan K. McLean (Simcoe East):** I would like to take this opportunity to invite everyone to a musical extravaganza in the Sunshine City. It's the third annual Orillia Jazz Festival and it's from October 21 to October 24.

Organizers are expecting more than 5,000 people from as far away as New York and Montreal to converge on the Sunshine City for what is fast becoming one of the top jazz festivals in North America. Twenty-

four bands will be performing at 19 different venues in Orillia this year, including Sounds of the Caribbean, the Mariposa Jazz Band, the Oliver Jones Trio from Montreal and Toronto's Moe Koffman. Jazz is a form of American music developed especially from ragtime and blues.

Brunches, concerts, Cajun cooking and plenty of jazz will be featured prominently on the menu of the third annual Orillia Jazz Festival.

I want to thank the Royal Bank, Jim Wilson's Chevrolet and a group of individuals who form Friends of Jazz for their strong sponsorship. There are many people who sponsor this, and it's those volunteers and the businesses that really are the backbone of this whole festival.

The \$4 festival passport provides an official program, a ballot for a grand prize draw for a trip for two to New Orleans, and admission to the opening ceremonies. More information can be obtained by calling (705) 326-8687.

And, Mr Speaker, the Elmvale Fall Fair is on this Thanksgiving weekend in the village of Elmvale.

#### VIOLENCE IN BOSNIA-HERCEGOVINA

**Mrs Irene Mathyssen (Middlesex):** Later today I will be presenting a petition on behalf of the education and public awareness committee of the Strathroy Women's Rural Resource Centre and concerned women and men in the riding of Middlesex.

The people of Middlesex ask us, the members of the Legislature of Ontario, to speak out against the systematic rape, beating, abuse or murder of more than 20,000 women and female children in Bosnia-Herzegovina. These inhuman atrocities, done in the name of ethnic cleansing, are intolerable. We have an obligation to state very clearly that the violation of women and children will not be tolerated.

The women and men of my constituency have joined with people around the world in a letter-writing campaign to Serbian, Croatian and Muslim leaders to stop the violence. They ask that we as legislators petition the United Nations to review the actions of all those who perpetrate such violence and implement policies and procedures to stop the abuse.

We must send a message to the women and girls of Bosnia that they are not alone, that we care, that we understand their pain and sorrow and that we wish to reach out in support, love and respect.

#### PARAMEDIC SERVICES

**Mrs Yvonne O'Neill (Ottawa-Rideau):** I rise today to again bring to the attention of the House the fact that the residents of Ottawa-Carleton are denied full paramedic emergency services while the cities of

Toronto, Oshawa and Hamilton have had access to these services, some for over 10 years.

Ambulance attendants in Ottawa-Carleton are lacking in training in advanced life-support skills such as starting an intravenous to give medication and fluids and inserting a tube to help patients breathe. As a result, we all know, heart attack victims in Ottawa-Carleton have a survival rate of 2.4%, as compared to 20% to 25% in many other Canadian cities.

As the Premier stated in this chamber yesterday, it "certainly isn't acceptable...to say to any patient in this province that any financial consideration would be a deterrent to their receiving what is medically necessary care."

I urge the Minister of Health to take the advice of her Premier and the 20,000 residents of Ottawa-Carleton who have signed a petition demanding equal access to paramedic services for our community. Madam Minister, your positive response will ensure that precious lives now needlessly lost will be saved.

1340

#### WCB PREMIUMS

**Mrs Elizabeth Witmer (Waterloo North):** On behalf of my colleagues in the Ontario Progressive Conservative caucus, I would like to indicate our very serious concerns about the fact that the Workers' Compensation Board is considering imposing a rate increase on homes for the aged in the magnitude of 181%.

While I recognize that a final decision has not been made with respect to these rate increases, it is appalling that the board would even consider such an enormous tax hike. Nursing homes are already staggering under the pressures imposed on them by this government through the social contract cutbacks and the recently introduced service reforms by the Ministry of Health. The proposed rate increase will erode their ability to maintain the level of services which their senior residents require and deserve.

We all recognize that the WCB faces a very serious financial crisis with an unfunded liability in excess of \$11.2 billion. However, the board needs to recognize that the problem is not a lack of revenue and that these devastating proposals for rate increases will not solve the problem. The problem that the board has is its total inability to effectively manage the system and its constant expansion of the scope of coverage in compensation.

I urge the Minister of Labour to take immediate action to ensure that the WCB does not proceed with its plan to impose this massive rate hike on homes for the aged.

#### JOBS ONTARIO CAPITAL

**Ms Sharon Murdock (Sudbury):** Mr Speaker, as you know, Sudbury is the jewel of northern Ontario,

and in our city we have about 38 lakes, one of which is in the middle of the city. It's hard to believe that in this day and age, at one end down by the Sudbury Algoma Hospital section we have homes in that section around Ramsey Lake where they are still on septic beds. Last Friday afternoon I was very pleased, on behalf of Jobs Ontario Capital and the Ministry of Environment and Energy, to present the region of Sudbury with a cheque for a little over \$2 million. It was exciting, because of course I've never had a \$2-million cheque in my hand before, but these are phases 2 and 3 of replacing water and sewer mains in that area.

What is especially important for me and for the rest of the city, because the other residents also did exceedingly well—they're building an 8-million-gallon reservoir—and for the residents of Moonglo subdivision and those in the Lockerby area, their water pressure problems are going to be resolved upon completion of construction. I was extremely happy to work together with the region, the Ministry of Environment and Energy and the Jobs Ontario Capital fund, and working together we're keeping jobs together and we're enhancing the quality of life. What can be said is that that is what it's all about and that is what this government is trying to do.

#### LEADER OF THE THIRD PARTY

**Mrs Elinor Caplan (Oriole):** Yesterday, I made a statement regarding some of the new friends that Mike Harris made over last summer. Today, I'd like to add Helle Hulgaard to the list of new friends that the leader of the Tories tried to make this past summer.

I'm sure the people who are here today will remember that day in August of this last summer when Mike Harris called a news conference to introduce Ms Hulgaard. It seemed that Mike was supporting Helle, a single mother who was quitting her job because she believed she would be better off on welfare. But Mike also lost some old friends because of his actions. I'd like to quote from a letter that the leader of the Liberal opposition, Lyn McLeod, received from one of Mike's old friends:

"I am a member of the Progressive Conservative Party. However, I am not pleased with their activity in the Windsor area and am not pleased with a number of their issues and platforms, the worst of which was Mike Harris 'endorsing' the use of the welfare system. Although I feel that the welfare system needs a total overhaul, I do not believe that Mr Harris acted in the best interest of the people of Ontario, especially the working people like myself, by allowing himself to support her."

By his crass behaviour, Mike Harris gave a slap in the face to Ontario's unemployed, people who want to work. I believe it would be more productive if Mike Harris directed his efforts to help people get off welfare and help them find the jobs they so desperately want.

### EVA'S PLACE

**Mr David Turnbull (York Mills):** On September 23 I had the pleasure of participating in the groundbreaking ceremony for Eva's Place-North York Emergency Home for Youth.

Given these difficult and uncertain economic times, it was wonderful to be included in the ceremony of hope focusing on the protection and security of our young people.

I would like to recognize the thousands of person-hours that volunteers invested in planning and lobbying to bring this project to fruition.

I commend the efforts of both the current and past members of the board of directors of Eva's Place and to the residents of North York for having the vision to provide a youth shelter whose mission is to provide a safe haven for the increasing number of our youth who suffer from abusive or intolerable family situations.

It was good to see one of York Mills's newest residents taking such an interest in our youth. The decision of Paul Molitor and his wife Linda to become the spokespersons for Eva's Place indicate that he's not only an MVP for the Blue Jays but he's also an MVP with the youth in York Mills.

Eva's Place will serve the youth of North York and other municipalities in Metro Toronto for years to come, providing essential services, crisis counselling and life skills training for youth in need.

Eva's Place will improve the quality of life for countless youths. This is an investment in the future of the country.

### NORA McCULLOUGH

**Mr Derek Fletcher (Guelph):** The community of Guelph and the arts community of Canada suffered a loss on August 10 when Nora McCullough died at her home in Guelph. She was 90 years old.

Ms McCullough graduated from the Ontario College of Art in 1925 and her career began at the Art Gallery of Ontario. In the late 1930s she was assistant to Arthur Lismer, one of the original Group of Seven artists. In 1938 she went to South Africa to continue working with the children's art centres Lismer had established in Pretoria and Cape Town. She became inspector of art education in the Cape Town provinces.

When she returned to Canada, Ms McCullough worked for the National Gallery of Canada in Prince Edward Island arranging tours and exhibits and setting up art classes for children in Charlottetown. She also worked on behalf of the National Gallery in Quebec and northern Ontario.

She was founding executive secretary for the Saskatchewan Arts Board from 1947 to 1956, working tirelessly to promote interest in the arts, in particular in the rural areas. From 1956 to 1958, she travelled in Italy and France studying traditional handcrafts.

She became western Canada liaison officer for the National Gallery of Canada between 1958 and 1968, assembling major exhibitions, circulating gallery shows and lecturing.

Over the years Ms McCullough assembled a large private art collection and usually gave friends and visitors to her home an impromptu tour and a lecture. She has donated works of Canadian artists to public galleries. I know that many people throughout her life were touched by Ms McCullough and they will join with us in mourning the loss of Nora.

### STATEMENTS BY THE MINISTRY AND RESPONSES

#### EARTHQUAKE IN INDIA

**Hon Elaine Ziemba (Minister of Citizenship and Minister Responsible for Human Rights, Disability Issues, Seniors' Issues and Race Relations):** Mr Speaker, I wonder if you would request of the House that we have a moment's silence on the earthquake in India.

**The Speaker (Hon David Warner):** Do we have unanimous consent? Agreed. I invite all members and all visitors who are in our gallery to please rise and observe a moment of silence for the earthquake victims in India.

*The House observed a moment's silence.*

**The Speaker:** You may be seated.

**Hon Ms Ziemba:** Thank you very much, Mr Speaker, and also thank you very much to the House for your expression.

I rise today to express on behalf of the government of Ontario sympathy and concern for the people of the province of Maharashtra in India over the earthquake and the resulting casualties, including loss of life. Initial reports put the number of deaths in the tens of thousands with many more injured or left homeless by this disaster.

Ontario's South Asian community is understandably worried about the safety and welfare of family and friends. Our thoughts are with them in this troubled time.

I would like to mention that in our gallery today is the consul general of India, Mr Mennan, who I hope will take back to his community our expression of sympathy and concern.

**1350**

I met with Mr Mennan, the consul general, and members of the Indian community on Monday to personally express my concern, as well as my admiration, for the way the South Asian community has rallied together to organize relief efforts to minimize the suffering in the areas ravaged by the earthquake.

The consul general is in daily contact with the government of India. The province of Maharashtra

responded quickly and efficiently in its rescue efforts.

Ontarians have always been at the forefront of providing humanitarian aid in the wake of such tragedies. Already volunteers spearheaded by the South Asian community have collected essential items that are currently in short supply. These items include blankets, clothing—especially children's clothing—food, building supplies and medical supplies. A telethon was held over the weekend and thousands of dollars were raised from the South Asian community, and of course further donations are most welcome.

On behalf of the government of Ontario, I would like to say to Mr Mennon and to the members of the community that we are pleased to announce that the government of Ontario is contributing \$100,000 to the relief effort. We will continue to keep in close touch with the South Asian community through your office, Consul General, and I hope that we can assist in whatever way possible. Thank you very much for joining us today.

**Mr Carman McClelland (Brampton North):** To Minister Ziembra, Minister of Citizenship, I want to respond on behalf of our party and say that those of the Liberal caucus and our friends and families would also join in expressing our concern and sympathy. So many of the people who reside in our communities have families and friends who are touched by this tragedy.

It seems to me that as these types of events are literally shared with us in our living rooms we sometimes become a little bit desensitized to them. From time to time someone or something that is symbolic rises to the forefront and cuts through some of the callousness that I think our world, unhappily, has developed over the past number of years. I watched with interest as a child of about a year and half of age was pulled miraculously from the rubble. It was symbolic of the human spirit and will to live and to survive.

God willing, perhaps there are many others who may be yet alive as the efforts are undertaken. Indeed, for those who are left injured, left homeless and without the means of life support as people across this province, and indeed around the world, respond, I think it fitting that the government of Ontario join with the many citizens of this province in sharing the responsibilities that we have, being a province that, with all of its difficulties, is so richly blessed in many ways.

I too want to acknowledge in the gallery today the presence of Dr Ubale, who is a former commissioner with the Ontario Human Rights Commission and who is working together with NGOs—non-government organizations—as they coordinate their relief effort for the victims and families of the victims overseas of this tragic earthquake.

As citizens respond, they should be aware of the fact that there are hotlines set up that they can get in contact with and help. There are NGOs. I'm sure that all

members would be willing to assist people in their communities to reach out and help in whatever way they can. There are warehouses being set up in Scarborough for the east end of our city and in Mississauga for the west end under the leadership of Consul General Mennon and Dr Ubale.

I would urge citizens in this province to consider how, in whatever small measure, they might be able to respond. I think that if everybody does a little bit, a lot can be accomplished.

Again, on behalf of my colleagues in the Ontario Liberal Party, in the caucus of the official opposition and my leader, the honourable Lyn McLeod, we wish to express our concerns and our sympathies for the families affected, and trust that the efforts of all Ontarians will in some small measure bring a sense of relief and hope for those who remain alive.

**Mr Alvin Curling (Scarborough North):** I too want to express my sincere feeling about the tragedy that is happening in India. I also know how painful it is to Dr Ubale and the consul general, who have worked ardently in many of these tragic circumstance. In Scarborough North there are a tremendous number of Indians who have families who have been affected by this. I can't express the pain that they have told me how they felt about this.

Of course, as my colleague stated, we get rather complacent at times and we sit at home and watch these tragedies day by day in different parts of the world and may be detached from them. I urge everyone in Canada, wherever you are, to give what you can, because this situation of almost 30,000 people—lives that have been destroyed—is as much as some islands in the West Indies that have been wiped out completely.

I want to say to you that with the pain that you're feeling today, both you and many of the families in Ontario, we are behind you in a very tangible way. I want to really commend the government for responding in such a manner.

**Mr W. Donald Cousens (Markham):** To the consul general, Mr Mennon, and to Dr Ubale, on behalf of our leader, Mr Harris, the member for Nipissing, and the members of the PC caucus, we share in the government's statement today and that of the Liberals in expressing our deep concern for this horrible tragedy in India.

Without warning and without time to say goodbye, this was a tragedy that befell tens of thousands of innocent, sleeping people in the pre-dawn earthquake that ripped through a remote region of western India. An earthquake measuring 6.4 on the Richter scale crept up on the sleeping villages and swallowed entire families. In a matter of moments, people much like ourselves were taken for ever. For those who remain life will never be the same.

As the death toll mounts, the hope for survivors dims, and yet media accounts have shown that hope can still prevail as rescue workers continue to unearth survivors.

In cases of extreme tragedy we search for answers to questions such as, "Why did this have to happen?" Unfortunately, nature operates on its own. Even though the question of why cannot be answered, we as part of a global community can still respond. I am encouraged by the outpouring of compassion and donations from residents in our communities all across Ontario.

India may be thousands of miles away, yet in Ontario we are responding with donations of goods and money as if the earthquake had struck here. Our response as a province closes the geographic distance, and as such, India doesn't seem so far away.

We can share in the grief of the many families living in Ontario who have lost loved ones in this devastating quake. We can rejoice when survivors are found, yet we can feel the anxiety of these people as they await the news of a missing relative found either buried in the rubble or in the crowds of grieving survivors. We can offer our prayers to those who were so suddenly taken from their families. This earthquake was a tragedy without warning.

To all those families from India living in Ontario, may they please know that our caucus colleagues, and indeed this Legislature, share in your grief. We are pleased as well that the Ontario government has seen fit to assist with this contribution and we sincerely hope that people across Ontario will continue to call Dr Ubale and the wonderful group that is trying its best by calling (416) 494-7699.

**1400**

### ORAL QUESTIONS CANCER TREATMENT

**Mr Murray J. Elston (Bruce):** Yesterday we had assurances from the Premier that anyone receiving bone marrow transplants or anyone being given medically necessary treatments would not face any financial deterrents to receiving that care. You came out in the scrum afterwards and indicated that you didn't know where the money was going to come from, probably the hospitals, but I took it that the Ministry of Health and the government of Ontario would not pay the costs of providing medically necessary treatments for bone marrow transplants. I just have the script from the reports in the newspapers.

Minister, can you confirm that no patient in Ontario will face a financial deterrent to receiving medically necessary treatments in this province?

**Hon Ruth Grier (Minister of Health):** Yes.

**Mr Elston:** Thank you very much for that answer. I want to know why it is, then, that the Minister of Health has indicated that Princess Margaret will have to look to research funds and its charitable foundation to

fund costs of bone marrow transplants and match searches, as she did yesterday, when she knows full well that the research grant fund is not available for operations funding and when she knows that the charitable foundation's bylaws and regulations prevent the movement of that money from capital programs into operating programs.

**Hon Mrs Grier:** Let me clarify what the member says he took from what he believes I said in a scrum yesterday. What I said was, "The money must be found." The hospital has a global budget, and we have already contacted it and want to work with it to look at that budget to see where the money can be found to make sure that these procedures continue.

On the larger issue, we are facing a very real problem. We don't have enough people in Canada who have indicated their willingness to donate bone marrow to provide a large enough pool of donors for the people who need it. The price has escalated dramatically around the world, and countries around the world are working together to see how they can deal with that.

For the four cities and I think five or six hospitals in Ontario that provide bone marrow transplants, we have to look at a mechanism or a pool of funding that can cope with the short-term pressure which has happened in the middle of the financial year.

We want to have those discussions. If there are foundation funds, if there are research funds and if there is a way of providing this funding, we need to work on this together with the hospitals and with the ministry to make sure that nobody in this province is denied services that are medically necessary because either the person, the hospital or the ministry doesn't have the money. That's our challenge, and that's what we're working to resolve.

**Mr Elston:** All I want is a straight answer. I thought I had it in the first answer. Will you confirm today for people like my constituent who are waiting for bone marrow transplants, and for other people who are requiring medically necessary treatments to save them from disease and other things, will you commit unequivocally that the money will come from the province of Ontario to ensure that medically necessary treatment is available without any kind of financial deterrent being put in the way of a patient in this province?

**Hon Mrs Grier:** All the money for all of our health care system comes from the province of Ontario, all \$17 billion of it, and attempting to manage that funding to maintain and preserve our health services is what this government and its efforts to contain our expenditures and manage our health care system are all about. I can unequivocally say that no patient in this province is going to have to pay for medically necessary services provided by a hospital. That is the way it's been, and our commitment is to make sure that that's the way it remains.

### BLOOD PRODUCTS FACILITY

**Mr Murray J. Elston (Bruce):** I have another question for the Minister of Health. There's a celebration in the greater Halifax area today because there was an announcement that a multimillion-dollar facility will be built there for the production of blood products. Minister, can you tell us what you and your colleagues did to support the applications of four municipalities from Ontario to be the host site for that particular facility?

**Hon Ruth Grier (Minister of Health):** My colleague the Minister of Economic Development and I have been very involved in discussions with respect to the construction of a fractionation plant for blood within Canada. The ministers of health from all of the provinces have set up over the last couple of years the Canadian Blood Agency, which is the customer of the Red Cross for the blood that is collected from volunteers all across this country and then processed into blood products.

The Canadian Blood Agency feels some very real concerns, as do the ministers of health, with respect to the safety and efficiency of our blood supply system. We have just yesterday the federal Minister of Health announcing a national inquiry into the efficiency and management of our blood supply system. The deputy ministers of health established a task force to look at the viability and necessity of a fractionation plant, with instructions to report back by the end of November.

With respect to the announcement by the Red Cross that it is going to open negotiations with the city of Halifax, quite frankly, that's a premature announcement, and I regret that the Red Cross has chosen to move unilaterally without the approval and the concurrence of its only customer, the Canadian Blood Agency.

**Mr Elston:** What the minister didn't say was that she and the former Minister of Health wrote a letter basically saying that they had no position to take in this regard until the CBA had made its decision, followed by a letter which basically said, "If you have to make a decision, then we think maybe we will support this if the CBA says it's okay."

She, the minister, and this government are members of the CBA, as are the ministers and deputies of the rest of the provinces and the federal government. Why is it that the minister was unable to provide support for the municipalities of Kingston, Barrie, Sudbury and Ottawa, when the Premier of Nova Scotia was able to take time to meet with the proponents personally, to telephone them to attract their attention about how willing Nova Scotia was to host this? Why is it that the economic development minister, Minister Bragg, came to Ottawa to pitch greater Halifax as a great location site for what will be up to 400 jobs? Why is it that in the press statement that was made today, the officials also thanked the Minister of Health for Nova Scotia for

being so supportive? Minister, why is it that Nova Scotia pursued this facility, with 400 jobs and the security of blood supply for the entire nation, and you decided that you and your colleagues would sit on the sidelines while the game progressed past salvation?

**Hon Mrs Grier:** That is not an exact characterization of the situation as it exists. I want to assure the member opposite that both my colleague the Minister of Economic Development and Trade and myself have had numerous conversations with the Red Cross, with the Canadian Blood Agency and with the mayors of cities in Ontario who would like to have a plant, if it is constructed, constructed in Ontario. Our position was perfectly clear.

We believe there are some very real questions that need to be answered about the safety and the efficiency and the management of the blood supply in this country. Just last week, I met with the Canadian Hemophilia Society, which is adamantly opposed to the Red Cross constructing a fractionation plant anywhere in this country. All of the ministers of health shared that concern and asked the task force of deputies to report back by the end of November on whether—let me quote the terms of reference—it in fact made sense to review "to investigate the technological and financial risks associated with blood fractionation."

I sincerely regret for the sake of Ontario cities, which need a plant if a plant is going to be built, that the Canadian Red Cross, which is dependent upon the voluntary donations of more people in Ontario than in the Maritime provinces, I think I can say, chose to act so quickly and to take this risk before all the answers were in about whether in fact for the health of the people of Canada this kind of plant makes sense.

**Mr Elston:** She raises a prospect that there are some problems with this project going ahead, one of them being what she describes as "risks." But I've been led to believe by information I've received that the CBA now indicates that some of its concerns have been overcome, with the exception of one, perhaps, and this was a big concern expressed by yourself and the previous Minister of Health, which is: "This project is only going to be technologically viable for the next 17 years anyway, so we don't really have to pitch for it. Who cares if there are 400 jobs created over the next 10 years? The technology will be outdated."

I understand that the proponents, Miles and Red Cross, have clearly indicated that for the next two decades at least, this technology will not only be viable but will be the way in which supplies are made available to the people who require them in this country.

**1410**

Minister, this started in about April 1992. Why is it that your letters, of very tentative support, begin only in August and are capped by a letter which says, under the signature of the Minister of Economic Development and

Trade, that "If the CBA approves it, I will go and see if I can get cabinet support for this"? Minister, why so tentative a position on your part when probably more than 400 jobs, direct and indirect, have been lost to this province at a meeting that was held in Ottawa? Why couldn't you even go and help the municipalities in Ontario make their pitch for this province's interests?

**Hon Mrs Grier:** As I've been attempting to make clear to the member, the safety of the blood supply is of paramount importance to the people of this province and to the people of this country. The Canadian Blood Agency will be holding a press conference later this afternoon and I know will speak for itself, but when he asks why our support was contingent upon approval by the Canadian Blood Agency—the Canadian Blood Agency has been created by all of the provinces to manage the blood supply. The management of the blood supply in this country is a cooperative enterprise between the volunteers who donate the blood, the Red Cross which collects it and the Canadian Blood Agency which, through the funding from the provinces, pays for it.

As I said in my first response, I really regret that the Red Cross has moved unilaterally. I think there are a lot of questions yet to be answered and I think those questions will in fact have to be answered before anybody goes to a sod-turning for the plant that was announced yesterday.

#### NEW WCB HEADQUARTERS

**Mr Michael D. Harris (Nipissing):** I understand the Premier is to be here at 2:15 and I'd like to stand down my first question till the Premier comes here to follow up on this matter of 400 jobs for the province of Ontario.

My second question is to the Minister of Labour regarding the WCB. Last week, on September 29, the Provincial Auditor wrote to the Chair of the standing committee on government agencies. In his letter he said: "The draft transcript of the September 15 meeting contains certain testimony given by Mr Brian King, vice-chair of the board, relating to our report made to the standing committee on public accounts on the WCB's new headquarters, which I consider either misleading or factually incorrect."

Minister, have you spoken to Mr King about testimony he gave before a committee that the Provincial Auditor says was either misleading or is factually incorrect? If you have not spoken to him, why not?

**Hon Bob Mackenzie (Minister of Labour):** At this point in time, I haven't spoken to Mr King about this issue, and when I have I will relate it back to the member.

**Mr Harris:** Minister, you obviously must know about it. The Provincial Auditor, the watchdog of the public purse, clearly found the WCB's new ivory tower

was not appropriate. On September 7, however, you as minister wrote to Judith Andrew of the Canadian Federation of Independent Business and you said, and I quote, "In my view, the auditor's report confirms that the WCB made a sound investment when it decided to relocate its head office to Simcoe Place." End of your quote to Judith Andrew.

Minister, obviously you have bought into everything that Mr King, the NDP head honcho at WCB, has told you and your cabinet and the Premier. Not only, according to the auditor, has he misrepresented the findings of the Provincial Auditor himself, but now so have you by virtue of the letters you're writing based on that information. Do you have absolutely no interest or no sense of what is going on at the WCB, and is it not time for you personally to step in and stop this nonsense that's gone amok?

**Hon Mr Mackenzie:** If the member across the way thinks I might have absolutely no interest in what's going on at the WCB, then I don't know why I would even respond to him. But let me tell him very clearly that it's probably the chief concern I have within my ministry. We are meeting on it regularly and we've already set in place steps that we think are going to bring about a correction of a situation that's existed at the WCB for a good many years in the province of Ontario.

**Mr Harris:** Minister, I find it unprecedented that the auditor has written a letter to a standing committee of this Legislature with the allegation that he has made about Mr King and you have done nothing about it. This was discussed this morning in the committee.

It's not the first time, by the way, Minister, that we've had reason to believe Mr King has not been up front about this multimillion-dollar boondoggle. Last January he appeared before the public accounts committee. He told members he had two or three legal opinions that confirmed that the WCB could proceed with this building without your or cabinet's approval. However, to date we have seen one opinion. He has refused to produce any of the other opinions.

At that time, our caucus questioned his statements. We're going back quite some period of time now. However, you used your majority in the committee to block any further questioning and any further discussion of this whole matter on the WCB.

Will you today direct the members of your committee to stop the coverup, to allow the committee to proceed, to bring the auditor back in, and let's get to the bottom of this Brian King and what's going on at WCB with the new building? Will you do that today?

**Hon Mr Mackenzie:** I want to make it clear that I wouldn't begin to entertain the thought of trying to tell a committee of this Legislature what it had to do.

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Hon Mr Mackenzie:** I also want to say that I think it's very unfortunate the kind of charges that are being made here, without any accurate backing up, on Mr King, who is trying to do a job at the board to correct some of the problems we've had for a long time at the WCB.

#### LEADER OF THE THIRD PARTY

**Mr James J. Bradley (St Catharines):** I have a question for the Treasurer, the Minister of Finance, of Ontario. In the present economic circumstances in Ontario, do you believe it would be appropriate to advise a person who is making, let's say, in excess of \$40,000 to quit his or her job and go on welfare?

**Hon Floyd Laughren (Minister of Finance):** That's a very strange question coming from the member for St Catharines. I would simply say to him that I suspect he knows, as other members of this assembly know, that in recent years we've had extremely high case loads in social assistance and the cost to the province is extremely high. I believe it's in the neighbourhood of about \$6 billion a year now.

I know some people who receive social assistance, and the ones I know want nothing more than to have the dignity of a decent job; nothing more than that. I can tell you that to counsel anybody otherwise is both economically and socially irresponsible, and if the member for St Catharines knows anybody who's doing that, I wish he would tell me so I personally can have a chat with that irresponsible person.

**Mr Bradley:** I'm usually tied up with confidentiality in cases of this kind, but the member may have been in his northern Ontario riding of Nickel Belt in late August working hard for his constituents and he may not have been aware of a press conference which was held here in Toronto where Mike Harris, the leader of the Conservative Party, supported Helle Hulgaard, who announced her intention to quit her \$41,500 job and go on welfare.

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Mr Bradley:** My question to the Treasurer is very simple: Would the Treasurer agree with Mike Harris, the leader of the Conservative Party, who supported Ms Hulgaard's decision to quit her job and go on welfare? Would the Treasurer agree with that?

**Hon Mr Laughren:** I'll try not to be partisan about this, but I really do wonder what has happened to the work ethic in the Tory party. There was a day when the Tory party stood for the work ethic—dare I even say the Protestant work ethic?—in this province.

I would simply say that I did hear about it and I was extremely disappointed. I'll repeat what I said before: I think it is truly both socially and economically irresponsible to advise someone to go from a job to social assistance. I repeat that and I hope that before anybody

ever considers doing that again, they'll have a personal chat with me.

**1420**

#### WORKPLACE HEALTH AND SAFETY AGENCY

**Mrs Elizabeth Witmer (Waterloo North):** My question is for the Minister of Labour. Minister, according to a letter which was sent to Ontario employers by the Workplace Health and Safety Agency, all employees must complete a questionnaire regarding their joint health and safety committee before September 30, 1993. This arbitrary deadline has been imposed despite the fact that the regulations state that certification training does not have to be completed until April 1995.

The business community is concerned because this questionnaire and its response will affect the length and cost of training. The members of the management advisory committee are now advising their members that they should not complete the questionnaire until they satisfy themselves regarding outstanding questions in the questionnaire by making written requests for clarification from the WHSA.

Will you explain to this House why employers are being forced to meet this unreasonable time line, and will you undertake to put on hold the certification process until all of the outstanding questions of the business community have been worked out to the satisfaction of all the parties concerned?

**Hon Bob Mackenzie (Minister of Labour):** I'm surprised at the question because there is a board at the agency that is a joint labour-management board and it has agreed upon a certification process which is now under way. It seems to me that the successes also being shown in that process are being credited by both sides, both labour and management.

**Mrs Witmer:** That's the problem, Mr Minister. You know that the board is not working and you know that this new certification program will not work if the videos that you are presenting are anti-business and anti-management and pro-union.

Many of the problems at the agency stem from the fact that the management vice-chair, Mr McMurdo, does not have the confidence of the members of the business community. The fact that they do not feel he represents their views makes a mockery of the idea that the agency is a cooperative process involving both labour and management.

This lack of support for Mr McMurdo has given the WHSA the reputation as a vehicle for the Ontario Federation of Labour in which management has absolutely no voice, and that's becoming more apparent each day. To make matters worse, it now appears that you intend to reappoint Mr McMurdo to this position despite the fact that people are opposed to his representing them.

Minister, will you agree to appoint a new manage-

ment vice-chair, one who is chosen through consultation—a word, I know, that's a stranger to you—with the business community and one who therefore has the support of the community that he or she is supposed to represent?

**Hon Mr Mackenzie:** I don't have an indication that Mr McMurdo, if this is the person the member is raising the questions about, does not have support from the business community. Some of the top CEOs and business people in Ontario are on the board and have supported the program. I certainly will take a look when the time comes for the reappointments, but I'm not going to take a statement like that from the member across the floor as to what I should do or shouldn't do in terms of any reappointments.

#### BLOOD PRODUCTS FACILITY

**Mr Michael D. Harris (Nipissing):** My question is to the Premier. In spite of the fact that your staff suggests you refer this to the minister, I'm very interested in what you knew and what you did and what you did not do, particularly stacked up against five other premiers and Premier Savage of Nova Scotia, with regard to the announcement yesterday that the Red Cross and the Miles corporation just announced a site for a blood fractionation plant in Canada.

Premier, even those in Sudbury and other cities in Ontario, even those across Canada, acknowledge this plant was Ottawa's to lose, given that the head office of the CNIB was there, given that Health and Welfare Canada was there—

**Mr Ernie L. Eves (Parry Sound):** It's the Red Cross.

**Mr Harris:** The Red Cross there.

That was acknowledged across this country. It was Ottawa's to lose. The one thing Ottawa did not have was the unqualified support of the government, the minister and the Premier of the province of Ontario.

Can you explain to me, Premier, why Premier Savage from Nova Scotia, on behalf of Halifax, was able to lobby effectively on behalf of his government for Halifax while you did nothing on behalf of the Ontario bid for the city of Ottawa, or for anywhere else in the province of Ontario, to make sure those 400 jobs came here?

**Hon Bob Rae (Premier):** I'm going to refer this question where it properly belongs, to the Minister of Health.

**Hon Ruth Grier (Minister of Health):** As I responded in response to earlier questions, with all due respect to the leader of the third party, the question that has to be asked is, does the major customer of such a plant in Canada, in fact the only customer, the Canadian Blood Agency, believe that such a plant should be built? Let me share with him what the Canadian Blood Agency has just said, which is that it rejects the Cana-

dian Red Cross Society's announced plan to build a blood fractionation plant in Halifax, citing serious problems about its implications for the Canadian blood program.

What we have to assure ourselves of first and foremost is, is it in the best interests of the health of the people of this province to have such a plant? In our discussions with Ottawa, with Sudbury, with Barrie, with Kingston, with a number of cities that had either approached or been approached by the Canadian Red Cross, both myself and the Minister of Economic Development made it very clear that our support for them would be total if in fact the Canadian Blood Agency believed that it was in the best interests of the Canadians, the Ontarians, who need the products from such a plant that such a plant be built.

**Mr Harris:** The Canadian Blood Agency is made up of the governments across Canada. Michael Decter heads this committee. All the other provinces said, "We reject what the agency is saying, and even if there is something, let's make sure we get the plant and then sort out the differences later." That is what is being said. "If a plant's going to be built, let's make sure we get it." Now Halifax has it.

Premier, you were in Baltimore watching the Blue Jays play a nothing series while Premier Savage was on the phone for this decision to be made this Sunday. Your minister wouldn't meet with the Red Cross. You refused to have the meetings to hear their side of the story. Can you now explain why five other premiers felt they should lobby directly for 400 jobs, for this plant, I might add being built at no cost to the taxpayer, a joint venture of the public and private sectors, when you wouldn't even meet with the Red Cross and your minister wouldn't meet with the Red Cross either?

**Hon Mrs Grier:** Mr Speaker, I hope you will ask the member to apologize to the Premier for those kinds of comments. You might also ask him to correct the record, which is that my deputy, Michael Decter, does not head the Canadian Blood Agency.

What Michael Decter has taken the leadership on, in consultation with other provinces, is a task force that all of the provinces, including the maritime provinces, asked to be established, which would examine the technological and financial risks associated with blood fractionation. If the premiers of the maritime provinces wish to take that risk on behalf of their constituents and the people in their provinces who use the blood supply, it is not a risk that we're prepared to take until we are absolutely sure that such a plant is in the best interests of the people who need it, the haemophiliacs and the residents of this province who donate and subsequently use the products of the blood supply.

**Mr Harris:** The Premier of Alberta, Ralph Klein, personally flew to Ottawa twice to meet with the Red Cross and get the information directly that the Red

Cross was basing it on. Other premiers made sure they met with them, either personally or by phone, in addition to all the ministers. Mayor Holzman of Ottawa said that your inaction reflects "the lack of professionalism, misinformation and distortions of truth and the arrogance of some officials in your government." That's what Mayor Holzman of Ottawa says.

**1430**

From everything that we can gather, the only reason you refuse to help Ontario bidders is because Michael Decter told you not to. Can you explain to me why all the other provinces and premiers ignored Michael Decter's advice and went ahead and bid for the plant and now Halifax is going to have the 400 jobs?

**Hon Mrs Grier:** Let me remind the leader of the third party that what was announced yesterday was the Red Cross's intention to negotiate with Halifax to locate a plant there. We are a long way from turning the sod on any fractionation plant in Canada and I can assure the member that if, in fact, it appears that a blood fractionation plant is in the best interests of the health care system of this province, there will be a number of other considerations that will be taken into account before any actual investment is made.

#### PICKERING AIRPORT LAND

**Mr Jim Wiseman (Durham West):** My question is to the Minister of Natural Resources—

*Interjections.*

**The Speaker (Hon David Warner):** Order. The member for London North and the member for Riverside.

**Mr Wiseman:** My question is to the Minister of Natural Resources. The federal government has announced the sale of 5,100 acres of land that was brutally expropriated in the early 1970s by the federal Liberal government of Canada. These lands contain class 1 farm land, important river valleys and are adjacent to the Rouge park. All these lands are situated on the Oak Ridges moraine. The sale of these lands by the federal Conservative government of today is a callous and politically arrogant abuse of federal power.

Will the minister restate and explain for my constituents and all the people of Ontario who support the Rouge park, good planning and sustainable development the actions that the provincial government will take to protect these constituents and these environmentally sensitive areas?

**Hon Howard Hampton (Minister of Natural Resources):** The member is quite correct. The federal lands in the Pickering area which border on the Rouge Valley park and on the Oak Ridges moraine—there are a significant number of environmental interests, agricultural interests and some community interests.

I have indicated to the federal Minister of Transport that Ontario is opposed to the federal government

merely selling off these lands. We believe that a plan should be formulated dealing—

**Mrs Elinor Caplan (Oriole):** Talk about the lands you guys just sold.

**The Speaker:** Order. The member for Oriole, please come to order.

**Hon Mr Hampton:** —with the environmental interests and the agricultural interests, and we've indicated to the federal government that we are opposed to their plan to simply sell the lands at the highest price. We've indicated to them that we will take the appropriate steps to counter any proposed sale by the federal government.

**Mr Wiseman:** My supplementary is to the minister and I quote from the Royal Commission on the Future of the Toronto Waterfront, paid for by the taxpayers of Canada in an attempt to bring some logical planning. Commissioner David Crombie says: "After nearly two decades of public ownership, it would seem reasonable to expect that both governments could decide what their future needs are for the properties involved and could work together to plan management or disposal of surplus lands," and these are contained in the recommendations.

*Interjections.*

**The Speaker:** Order.

**Mr Wiseman:** Also, the federal government Round Table on the Environment and Economy said: "For consensus to operate, people must abandon command and control patterns of conduct"—

*Interjections.*

**The Speaker:** Order.

**Mr Wiseman:** —and only if they abandon can there be a kind of interchange among equals that is so necessary in trying to weave sustainable development into the multitude of our activities."

Tell me, Mr Minister, does what the government is doing to these people and to these lands and these environmentally sensitive areas—

**The Speaker:** Could the member place a question, please.

**Mr Wiseman:** —even come close to fulfilling the obligations of their paid-for reports?

**Mrs Caplan:** Five hundred acres, Floyd. You just sold 173 acres at Whitevale.

**The Speaker:** Order. The member for Oriole, please come to order.

**Mr Wiseman:** If it doesn't, what's the point of the federal government even involving themselves in this when they have such a callous disregard for people, for the environment and for the agricultural lands—

**The Speaker:** Would the member place a question?

**Mr Wiseman:** —that they're prepared to put 200

families out on the street at this time—

*Interjections.*

**The Speaker:** A point of order? When the House has come to order, then I will entertain the member's point of order.

**Mr David Tilson (Dufferin-Peel):** Mr Speaker, I cannot hear one word of what is being said over here. I don't know whether you can. With all due respect, I doubt if you can. I would ask that, if the member's going to be allowed to continue, we be allowed to hear him.

**The Speaker:** Indeed, it was quite difficult to hear the question. I understand that the question has been placed. It would be helpful if all members would resist the temptation to interject, and I would invite the minister to respond to the question.

**Hon Mr Hampton:** Difficult as it may be, I was able to hear the question over the member for Oriole, although with some difficulty.

What is important to understand is that this is a once-in-a-lifetime opportunity to protect some ecologically important, agriculturally important lands that are very close to the greater Toronto area. I think the fear is that if this opportunity is missed, it will not present itself again.

My colleague the minister responsible for the greater Toronto area and the Minister of Municipal Affairs indicated today that he was prepared to utilize a minister's zoning order to prevent an inappropriate use of these lands should the federal government decide to follow through on its proposal to sell them.

The province of Ontario is determined that those parts of these lands which are suitable for inclusion in the Rouge Valley Park will, within our power, be used for the Rouge Valley Park and that agricultural lands within our power will be protected as well.

#### BENEFITS FOR OLDER WORKERS

**Mr Michael A. Brown (Algoma-Manitoulin):** I have a question for the Minister of Labour. Last Friday, I was visited by a group of people in my constituency office in Elliot Lake. They brought with them what I consider to be a most astounding document bearing the signature of the Minister of Labour, Bob Mackenzie. It relates to the program for older worker adjustment in this province.

It seems that in December of last year, the Minister of Labour, together with the Minister of Labour for Canada, signed this agreement. This agreement substantially reduces the benefits to workers who will now qualify for the eligibility under this program. These are workers who are between 55 and 65 years of age and stand no reasonable opportunity for employment in their community, and this minister, together with his federal buddy, has reduced the benefits by 30% to 40% to these workers. These workers worked for Denison Mines. At

Denison Mines, they had friends laid off just a year ago who will receive benefits substantially higher.

I want to ask this Minister of Labour, what is he going to do for workers in the province of Ontario who find themselves in these circumstances, and why did he sign an agreement which substantially reduced the benefits to these workers?

**Hon Bob Mackenzie (Minister of Labour):** The negotiations that have gone on for the best part of a year, I guess, with the federal authorities to try to get them to maintain the funding arrangement, which is 70/30 dollars—70 cents federal; 30 cents provincial—for the older workers' program are ones that finally—and it's been difficult to maintain the program and keep it. Certainly at anything more than the current price, it would be difficult for Ontario to maintain it.

But one of the things that was agreed upon in the negotiations was that we would try to extend the program; we would try to cover more people. The limit was put of \$1,000, a deduction was put there for other pensions they were already receiving and the program was extended so that women could qualify after 13, not 15, years' service because they sometimes were out of the workforce in terms of pregnancy leave provisions.

1440

The moves that were made did reduce the amount that is there for each individual worker but mean that several hundred additional workers in that age category will be able to qualify for the program. We think it was sound business in terms of trying to extend that program.

**Mr Steven W. Mahoney (Mississauga West):** This is the same minister who, when he was in opposition and the former government signed an agreement to help these older workers, cried that in those days the benefit package was not enough. It wasn't enough when we were the government, and you are a signature party to an agreement that reduces benefits to older workers by over \$300 a month.

We don't understand why you didn't bring it into this House. You signed this document December 17, 1992. You didn't bring it to the attention of the Legislature. You didn't raise any kind of public outcry against the federal government. We have the spectre of Bob Rae and Mike Harris climbing into bed together. Now we've got Marcel Danis and Bob Mackenzie saying, "Move over; we want to come in too." This is an absolute disgrace.

You, sir, supposedly the champion, a former organizer in the Steelworkers—

**The Speaker (Hon David Warner):** Would the member place a question, please.

**Mr Mahoney:** —supposedly the champion of those people who can least help themselves, have abandoned the older workers in this province. You've signed an

agreement with the federal Tories—

**The Speaker:** Does the member have a question?

**Mr Mahoney:** —and it's a disgrace. What do you say to those older workers, Minister, whom you have betrayed in the province of Ontario?

**Hon Mr Mackenzie:** Quite the contrary. If we can tone down some of the rhetoric across the way, the question we were facing was whether or not we could continue the program and whether or not we could cover more workers in the age category that POWA covers. That's exactly what we did, and quite frankly, given those options, I'm proud to have signed the document.

#### PROPERTY ASSESSMENT

**Mr David Johnson (Don Mills):** My question is to the Minister of Municipal Affairs and concerns the tragic situation of two municipalities in Metropolitan Toronto at war over a property assessment system that was put in place about 40 years ago.

In Scarborough about 30,000 have appealed their assessment because they consider this property assessment to be unfair, inequitable and out of date. As a result of that perception, the city of Scarborough has appealed to increase the assessments of 1,000 homes in the city of Toronto. In retaliation, the city of Toronto has appealed 5,000 assessments within the city of Scarborough to have their assessments increased. Now we've just learned this week that the city of Toronto appeal of the Scarborough residents have been disqualified. But that will not end it. The city of Toronto will take legal action.

My question to you is, when will you assume your responsibility, provide leadership? This mess has to be sorted out. Will you tackle this issue before it gets more out of hand and before more taxpayers' dollars are wasted?

**Hon Ed Philip (Minister of Municipal Affairs):** I am aware of the decisions that have been made lately, and I believe that the city of Toronto's was thrown out on the technical matter that the council had not passed the decision before but rather passed it retroactively. He may well be right. The city of Toronto may simply correct its procedure and file again.

I've told the mayors, indeed in the presence of both of those mayors and others, that I consider that holding ordinary home owners to ransom in what amounts to a war between the municipalities is not only inappropriate in terms of the individuals who have been either deliberately or randomly chosen and must suffer through this while a municipality decides to appeal against them, but that it's very bad use of taxpayers' money to do so.

**The Speaker (Hon David Warner):** Could the minister conclude his response, please.

**Hon Mr Philip:** I'm hoping that calmer heads will prevail, that this war between the municipalities will be

stopped and that we can work together to find a form of taxation which is acceptable to all of the municipalities.

**Mr David Johnson:** Mr Minister, you've mentioned the mayors. I'll quote the mayor of the city of Scarborough. The mayor of the city of Scarborough has said all hell will break loose. There will be a real free-for-all unless you, Minister, solve this problem. The mayor of the city of Toronto has said that she will appeal the disqualification of the Scarborough property assessments.

You've mentioned the property owners being held hostage. I'm going to quote to you the chair of the Assessment Review Board for the province of Ontario. The chairman of that board has said, "Ordinary citizens are caught in the crossfire and are being used by one side or the other to force concessions."

Minister, there are thousands of home owners in Metropolitan Toronto who are suffering deep anxiety about this. Their assessments are being appealed by a big government, whether it's Scarborough, whether it's Toronto, and those appeals are threatening to increase their assessments, their taxes. These are seniors, these are people on fixed incomes, these are people who are unemployed, these are people who can't afford this kind of increase that's being challenged.

My question to you again is, what are you going to do? What plan do you have to tackle this problem?

**Hon Mr Philip:** Metropolitan Toronto has brought forward two separate proposals. The latest proposal is in fact undergoing public hearings at the moment. I am in constant contact. As a matter of fact, yesterday I spoke to Chairman Tonks. I have been in constant and regular contact with the mayors. I was with them some three weeks ago and we had an interesting three-hour meeting of the mayors for the greater Toronto area at which there was representation from the various cities.

I noticed that the honourable member, whose advice I appreciate because of his experience as a mayor, was able to analyse the problem. We all agree that there is a problem. It's not a problem that this government created; it is a Metro problem of assessment.

There are hearings going on, and I think that if the honourable member, with his municipal experience, has some solutions to offer, either to the assessment hearings that are now going on or to the Fair Tax Commission, which will be bringing down its recommendations shortly, in November, I'd certainly like to hear his proposals, and I'm sure the Fair Tax Commission and the Metro hearings would love to hear his proposals on how you come out of this solution.

#### PICKERING AIRPORT LAND

**Mr Larry O'Connor (Durham-York):** My question is to the Minister of Housing. Today I attended a press conference, Minister, that gravely concerned me. This press conference was held by a delegation of constitu-

ents who came down here to Queen's Park out of complete desperation. They face a dire situation. In short, within a few months they could be thrown out into the streets, over 300 families without a place to live. The villain in this case is the federal government. Many of these have lived in these homes for decades; in fact, generations.

My question is, if the federal government in Ottawa appears to be determined to toss these people out of their houses, I want to understand the impact this will have on the impact on the housing stock in my area.

**Hon Evelyn Gigantes (Minister of Housing):** The member raises a question which had occurred to me first when reading the Transport Canada press release of August 25 about these very lands, in which the then Transport minister—still Transport minister—federally talked about providing tenants with assistance to help them stay in their community. The quote was, "The majority of tenants living on these lands have been renting their properties for five years or more," and the minister was interested in maintaining the fabric of the community.

But the press release goes on to say that the tenants would be offered the possibility of purchasing at market value the properties that they're renting. Now, given the kind of growth that has occurred in that larger area over the 20 years that the federal government has held this land, that is going to be a pretty high market value. I'm concerned, looking at the housing questions that this raises, that it's going to have a very serious effect on many households in that area.

**1450**

**Mr O'Connor:** Minister, as my colleagues have raised—and we've presented petitions on this issue, because it's very important—the federal government had opened an information office. Then they closed the information office. My tenants really didn't know where to go to, and I guess that's part of their desperation.

There are over 300 families here, Minister—single moms, some seniors, some disabled people—and what really bothers me is the chance of them finding affordable housing today in that area—there's not a lot of it, because it's a rural area—300 families tossed out of their houses. What is the chance of them finding affordable housing today?

**Hon Ms Gigantes:** I can't give a case-by-case description, but it certainly raises the question of what people in these households are going to do. The federal government also had suggested that if people were not prepared to buy at market value, then they could arrange a 15% adjustment against the market value of the property if the person purchasing were willing to stay there for five years. I think that still, for many of the households in that area, it puts them in a situation where essentially they're going to have to move, that they won't be able to afford the kinds of conditions the

federal government is putting on this land sale if they're going to continue to stay in those properties. It does raise some very serious questions which I hope we're not going to have to deal with; I hope we'll be able to discuss this matter with the federal government and get it to take a longer-term view of what should be happening with this property overall.

#### PLANT CLOSURE

**Mr John C. Cleary (Cornwall):** My question is to the Minister of Agriculture and Food. The Minister of Agriculture and Food will be aware of a recent decision by Pillsbury food to move its Green Giant vegetable processing plant in Essex county to Quebec. The plant's closure, which will come into effect next year, means the loss of 110 full-time jobs and over 500 seasonal jobs. The closure also means lost vegetable contracts for over 100 of our best farmers in Essex county. There have been many rumours of the plant closure for the past two years, and production has been declining, but the announcement has still been devastating to the people in the area.

Why has the Minister of Agriculture and Food been so silent on this closure, which is affecting so many farmers and a loss of jobs? What has the minister done to try to keep this vegetable processing plant in Ontario?

**Hon Elmer Buchanan (Minister of Agriculture and Food):** The honourable member talked about being silent. We maybe can be accused of being silent, but we certainly have been talking to Pillsbury. We talk to the food processing industry on a regular basis. We didn't have advance knowledge. We were not aware of the closure of this plant, but we certainly are aware of the difficulties faced by the food processing industry. The plant that the member refers to employs a large number of people and there are many, many farmers who depend on that plant for the sale of their produce.

We do have to recognize that times are changing. Part of the production at the plant in Tecumseh is canning. We know that consumers in some cases are moving away from canned produce and moving into frozen produce that they can prepare more quickly.

We are in fact meeting, my staff and the members from the Windsor area—there's a meeting going on as we speak—and looking at what will happen to that plant, whether anyone is interested in buying it, retrofitting it or at least providing some opportunity for farmers in that area to continue to grow produce that could be processed at that plant. We will continue to work with whoever is interested in doing that.

**Mr Cleary:** Minister, we are aware of some of the meetings that are going on, but we'd like to hear the results of them. The minister will be aware that the Quebec Pillsbury plant, which is where Essex operations is moving, recently received a \$321,000 capital grant from the federal Department of Health and Welfare. The

people in Essex-Kent can't understand how the federal Tories can justify a Health and Welfare grant for the vegetable processing operation, and there have been concerns expressed that the grant has proven a carrot to relocate the Ontario plant in Quebec.

The farmers and plant workers in Essex-Kent want your government to help them with any options to keep the operation open and the town of Tecumseh is interested in working with Pillsbury and the province to keep this plant running and save jobs by finding another buyer or even setting up a local co-op.

Are you prepared to help this town pursue the options to save 110 full-time jobs, 500 summer students' jobs and 100 farmers in Essex county? You have said some of the things that you were going to do, but we'd like to know more of what you're going to do to keep the plant open.

**Hon Mr Buchanan:** I hope the honourable member doesn't expect me to defend what the Conservative federal government's Department of Health and Welfare is doing with its money. It's a little bit more than I could do to defend their actions.

I would point out, though, that this company has not only closed the plant in Tecumseh. They've closed a number of plants in Canada and in the US; this is part of a rationalization the company is undergoing.

The member asked me to meet with groups. We're certainly interested in meeting with the farmers especially, to look at what their future may be, whether that's a co-op, whether there's any opportunities to purchase that equipment or the plant, in fact. Other people are meeting as we speak, as mentioned earlier, to look at the future of the plant.

I would, however, caution the member that if Green Giant could not produce canned vegetables at this plant and make a go of it, we have to be cautious about having governments prop up companies and production lines that are not profitable and not going to be available in the long term. We will explore what opportunities there are to continue the employment and continue the growing of vegetables in the area so that there is some future for farmers in Essex south.

#### SOCIAL CONTRACT

**Mr Jim Wilson (Simcoe West):** My question is to the Minister of Health. Mike Harris, the leader of the Ontario PC Party, and I have been meeting with independent—

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Mr Jim Wilson:** Hey, I know we're leading the polls, but at least you could be quiet for a moment while I do my question.

Mike Harris and I, on behalf of our caucus colleagues, have been meeting with independent ambulance operators from across Ontario. They all tell us the

same thing, and that is that with regard to their sector under the social contract, they believe the social contract is nothing but a setup and that it's part of a socialist, ideologically driven hidden agenda to drive these independent operators out of business.

Given your government's record to date in driving the private sector out of the delivery of child care services and given your repeatedly announced intention to drive the private sector out of the delivery of home care services, what assurances can we provide these business people that they will still be in business at the expiry of the social contract on March 31, 1996, and, secondly, that they will not arbitrarily be forced to become employees of a new government agency as recommended under the Swimmer report?

**Hon Ruth Grier (Minister of Health):** I'm not quite sure what degree of paranoia is where in the people with whom the member has been talking, but let me assure him of two points.

First of all, any business in this climate has to manage its affairs as effectively and as efficiently as possible to stay in business. I hope the ambulance operators, in coping with the impact on their wage bills of the social contract, are doing that, because that is how they are going to survive.

Second, with respect to implementation of the Swimmer report, which I think is what he's really getting at, as part of the social contract, a committee has been established to examine the impact of the Swimmer report on the cost of emergency services, and I will await with interest the conclusions of that work.

**1500**

**The Speaker:** Time for oral questions has expired.

**Mrs Elinor Caplan (Oriole):** On a point of order, Mr Speaker: I would like to apologize to you. I was very concerned during the question from the member for Durham West to the Minister of Natural Resources that very important information which I have, information, for example, that landfills in Pickering have 195 acres of open space—

**The Speaker:** What is your point of order?

**Mrs Caplan:** —and in Whitby 1,355 agricultural acres—

*Interjections.*

**The Speaker:** Order. If the member has a point of order, I would appreciate it if she would get to it quickly.

**Mrs Caplan:** I do have a legitimate point of order, as I apologized to you for my outburst when the question was asked of the Minister of Natural Resources. I know how important it is for members not to be misleading the House, and when I saw that 1,355 acres of agricultural land had been sold in Whitby and that the Whitevale golf course, 173 acres—

**The Speaker:** The member does not have a point of order, although I do appreciate her apology for the disruption in the House.

**PETITIONS**  
**CASINO GAMBLING**

**Mr James J. Bradley (St Catharines):** This is a petition about casino gambling in Ontario:

“Whereas the Christian is called to love of neighbour, which includes a concern for the general wellbeing of society; and

“Whereas there is a direct link between the higher availability of legalized gambling and the incidence of addictive gambling (Macdonald and Macdonald, Pathological Gambling: The Problem, Treatment and Outcome, Canadian Foundation on Compulsive Gambling); and

“Whereas the damage of addiction to gambling in individuals is compounded by the damage done to families, both emotionally and economically; and

“Whereas the gambling market is already saturated with various kinds of government-operated lotteries; and

“Whereas large-scale gambling activity invariably attracts criminal activity; and

“Whereas the citizens of Detroit have since 1976 on three occasions voted down the introduction of casinos into that city, each time with a larger majority than the time before;

“Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the government of Ontario cease all moves to establish gambling casinos.”

I am signing this petition as I am in agreement with its contents.

**EXPENDITURE CONTROL**

**Mr W. Donald Cousens (Markham):** This is a petition from approximately 1,000 people who attended the Markham fair on the weekend. I am pleased to present it today on their behalf, with my signature affixed to it.

“To the Legislative Assembly of Ontario:

“Whereas the Bob Rae government has levied \$2 billion worth of new and increased taxes in 1993 from the Ontario taxpayer;” and they particularly figure you, Floyd, I’ll tell you, “and

“Whereas tax increases do not improve the economy and do little to stimulate economic development and job creation in Ontario; and

“Whereas Bob Rae has not stopped health card fraud, the construction of needless public housing and the inappropriate construction of the Workers’ Compensation Board tower, all of which cost the taxpayers millions each year;

“We, the undersigned, demand that Bob Rae run the

government like a business by reducing waste and controlling expenditures.”

*Interjections.*

**Mr Cousins:** I just know it really got to them because they started to crow away like stuck seals.

**PICKERING AIRPORT LAND**

**Mr Larry O’Connor (Durham-York):** I have a petition to the Legislative Assembly of Ontario:

“Whereas the federal government intends to dispose of surplus lands on the Pickering airport site that are agriculturally rich and environmentally sensitive; and

“Whereas the residents have not been informed of the immediacy of the federal government sale plan;

“We, the undersigned, petition the Legislative Assembly as follows:

“Therefore, that the provincial government of Ontario request of the federal government of Canada to initiate a public review by panel of the federal Minister of the Environment—

*Interjections.*

**The Deputy Speaker (Mr Gilles E. Morin):** Order, please. I would encourage members to hold conversations outside the House.

**Mr O’Connor:** —“to ensure an organized disposal protecting these rural resources and the community of residents there.”

We had two of those residents here today to watch question period. If they had a public information session, had a chance to input into things like the Walker property purchase this provincial government’s done, the Rouge Valley Park, I think they would be much more satisfied with a public and open process, and I affix my name to this petition.

**LONG-TERM CARE**

**Mrs Barbara Sullivan (Halton Centre):** I have a petition from a number of people in Ingersoll, Embro, Woodstock, London, St Thomas and other places in Ontario, which reads as follows:

“Whereas the government of Ontario has stated that multiservice agencies, the new single local point of access for long-term care and support services, must purchase 90% of their homemaking and professional services from not-for-profit providers, therefore virtually eliminating use of commercial providers;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“We protest the action to drastically reduce the service provision by commercial providers and respectfully request that the impact of this policy decision, including a cost study, be performed before any further implementation.”

I concur with this petition and have affixed my name to it.

### ST GREGORY SEPARATE SCHOOL

**Mr Chris Stockwell (Etobicoke West):** For a number of days now I've been presenting petitions from St Gregory Separate School, and I will do so again today. It's a petition to the Legislature of Ontario and it goes much like this:

"Whereas the voters and taxpayers of the St Gregory school community have been requesting funds for a much-needed renovation and expansion of the present facility for 11 years; and

"Whereas the Metropolitan Toronto Separate School Board has placed St Gregory school as one of the highest priorities on the capital expenditure forecast list;" and this petition is a little older, so it's not just "one of"; I think it's now number one;

"We, the undersigned, petition the Legislature of Ontario to allocate capital funds to the St Gregory school."

There is a number of petitions I've brought in. Thousands of people in St Gregory's area have signed this petition and I am proud to put my name to this petition as well.

**Mr James J. Bradley (St Catharines):** And so you should be.

**Mr Stockwell:** The member for St Catharines says so I should be.

### GAMBLING

**Mr Gary Malkowski (York East):** "Whereas the New Democratic Party government has not consulted the citizens of the province regarding the expansion of gambling; and

"Whereas families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas creditable academic studies have shown that state-operated gambling is nothing more than a regressive tax on the poor; and

"Whereas the New Democratic Party has in the past vociferously opposed the raising of moneys for the state through gambling; and

"Whereas the government has not attempted to address the very serious concerns that have been raised by groups and individuals regarding the potential growth in crime;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government immediately cease all moves to establish gambling casinos and refrain from introducing video lottery terminals in the province of Ontario."

I present the petition and I affix my signature.

### HOME CARE

**Mrs Barbara Sullivan (Halton Centre):** I have a petition which reads as follows:

"We are employees of Med-Care Partnership, one of the commercial home health agencies in the province of Ontario, who will be affected by your government's decision to eliminate commercial home care from the province of Ontario. We have been trained by our employer to provide in-home care and domestic services to the elderly, frail and handicapped who wish to live independently at home. We are the employees whose jobs and livelihoods are in jeopardy and stand to be eliminated.

"Because of this, we believe our clients will suffer too. Ten years ago it was determined that an exclusively public system could not meet the needs of the community, and commercial agencies were formed. Why let history repeat itself? We protest the action by your government and insist you study the impact of your policy decision before any further implementation."

I concur with this petition and have affixed my name to it.

**1510**

### CLOSURE OF LIQUOR STORE

**Mr Stephen Owens (Scarborough Centre):** On behalf of more than 1,000 of my constituents, most of them seniors in the Cliffside Village area:

"We, the undersigned, understand that the liquor store at 2351 Kingston Road in Cliffside Village will be closing October 9, 1993.

"Notwithstanding the mission statement of the Liquor Licensing Board of Ontario, that is, to provide service to the people of Ontario; and further,

"Notwithstanding the fact that although the store will be closed on October 9, 1993, the Liquor Licensing Board of Ontario will be paying rent to the property owners until 1998;

"We, the undersigned, request that this store remain open."

I hereby affix my signature of support.

### VIOLENCE IN BOSNIA-HERCEGOVINA

**Mrs Irene Mathyssen (Middlesex):** I have a petition from the education and public awareness committee of the women's rural resource centre of Strathroy and area and residents of Middlesex who ask the Legislative Assembly to seek action in support of women in Bosnia-Hercegovina who have survived inhuman atrocities. Estimates suggest that at least 20,000 women and girls have been systematically and brutally raped by men who were once their neighbours.

They further petition the Legislative Assembly of Ontario to request a federal investigation of the sexual coercion and torture of women in Bosnia-Hercegovina to petition the United Nations to review the actions of these perpetrators of woman abuse and to seek, plan and develop new avenues of support for the women in Bosnia-Hercegovina who have been inhumanly violated.

I would also add that the Federation of Women Teachers' Associations of Ontario, representing 42,000 women, has drafted a similar petition directed to the government of Canada. I have signed my name to this petition.

#### HEALTH CARE

**Mrs Joan M. Fawcett (Northumberland):** I have a petition to the Legislative Assembly of Ontario:

"Whereas proposals made under the government's expenditure control plan and social contract initiatives regarding health care in the province of Ontario will have a devastating impact on access to and the delivery of health care; and

"Whereas these proposals will result in a severe reduction in the provision of quality health care services across the province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government of Ontario move immediately to withdraw these proposed measures and reaffirm its commitment to rational reform of Ontario's health care system through its obligations under the 1991 Ontario Medical Association/government framework and economic agreement."

I have signed the petition.

#### ONTARIO FILM REVIEW BOARD

**Mr Chris Stockwell (Etobicoke West):** This is from constituents in my riding and thereabouts to the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas the Ontario Film Review Board at its May 6, 1993, policy committee meeting decided to loosen the guidelines for the film videos for Ontario; and

"Whereas the loosening results in some very gross and indecent acts in the film videos; and

"Whereas these acts include bondage, insertion of foreign objects; and

"Whereas the aforementioned acts are not in any way part of true human sexual activity, but rather belong in textbooks for case studies of deviants; and

"Whereas these activities not only violate community standards but parts of the Canadian Criminal Code;

"We, the undersigned, your petitioners, humbly pray and call upon the Ontario Legislature to cancel the new policy resolution of the Ontario Film Review Board and dismiss the chairperson, Dorothy Christian, from her position for her lack of sensitivity toward Ontarians and for being more dedicated to represent special interest groups than the taxpayers of Ontario."

#### PICKERING AIRPORT LAND

**Mr Jim Wiseman (Durham West):** I have a petition signed by many people from southern Ontario who are now becoming more and more outraged at the

treatment of the people on the north Pickering lands.

"To the Legislature of Ontario:

"Whereas the federal government intends to dispose of surplus lands on the Pickering airport site that are agriculturally rich and environmentally sensitive; and

"Whereas the residents have not been informed of the immediacy of the federal government sale plan;

"We, the undersigned, petition the Legislature of Ontario as follows:

"Therefore, that the provincial government of Ontario request of the federal government"—and I think that's been done quite adequately today; it's nice to see that the provincial government is living up to its obligations and it would be nice if the federal government would also live up to its obligations as outlined in its own reports—"to initiate a public review by a panel of the federal Minister of the Environment"—which is also outlined in their reports—"to ensure an organized disposal protecting these rural resources and the community of residents there."

I affix my signature in the hope that the federal government will listen to the plight of these people.

#### ORDERS OF THE DAY

#### FARM REGISTRATION AND FARM ORGANIZATIONS FUNDING ACT, 1993

LOI DE 1993 SUR L'INSCRIPTION DES ENTREPRISES  
AGRICOLLES ET LE FINANCEMENT  
DES ORGANISMES AGRICOLES

Mr Buchanan moved third reading of Bill 42, An Act to provide for Farm Registration and Funding for Farm Organizations that provide Education and Analysis of Farming Issues on behalf of Farmers / Projet de loi 42, Loi prévoyant l'inscription des entreprises agricoles et le financement des organismes agricoles qui offrent des services d'éducation et d'analyse en matière de questions agricoles pour le compte des agriculteurs.

**Hon Elmer Buchanan (Minister of Agriculture and Food):** First of all, I would like to acknowledge and welcome representatives from two Ontario farm organizations who are visitors here with us today, who are here to see the acceptance and the passing of Bill 42.

I have a few names; I'm not sure I have them all. From the Ontario Federation of Agriculture, we have the chief executive officer, Carl Sulliman, who is in the members' gallery. We have the vice-president, Ed Sedgeworth. We have Gary Commence. We also have Brigid Pyke, the well-known former president of the OFA, and her husband. We have Dona Stewardson, a vice-president, as well.

Representing the Christian Farmers Federation of Ontario in the visitors' gallery to the west, we have Elbert van Donkersgoed, who is the director of research and policy development. We welcome you here this afternoon for this historic moment.

I think everyone here is familiar with the farm

registration and farm organizations funding bill, so we'd like to point out the strengths of the bill and address some of the concerns that have been raised regarding certain aspects of the bill.

First and foremost, the legislation will institute a funding mechanism to provide general farm organizations with the kind of financial support they need and deserve. Their efforts in research and education and providing policy advice to governments have benefited all Ontario farmers and should not be allowed to falter due to a lack of funding.

In these days of major restructuring in the entire agriculture and food industry, I believe it is imperative for farmers to have a strong voice in the decision-making process. With rapid change occurring in farm technology and management practices, the up-to-date information provided by these organizations is also critical to farmers' ability to remain competitive. Without appropriate funding, farm organizations will not be able to continue the kind of research and education process that they have so ably carried out up to now.

Provisions under regulations to be drafted for the legislation will also help empower farmers at the local level. Each farm organization will be required to provide 25% of its net revenues to its local organizations. Not only will this help establish effective representation on the local level, but it will ensure that the organizations remain sensitive to grass-roots concerns.

The stronger financing to local organizations will allow them to be more involved in planning and projects that benefit the community as well as the farmers. General farm organizations have traditionally been key players in stimulating economic activity in rural communities. By increasing local resources to farm organizations, the legislation supports the revitalization of rural communities as well.

At the same time, this bill's requirement for farm businesses to register with the ministry will mean better service to the entire farming community. Because the information will be updated annually, we can obtain accurate, timely information with which to develop new and improve on existing policy and programs. As it stands, we base decisions on census data which are updated only once every five years.

## 1520

In addition, our ability to disseminate information on programs will improve with the comprehensive mailing lists that we have available to us from the registration process. I'd like to assure everyone here and everyone in the farming community that all personal information provided to the ministry will be subject to the protection offered under the Freedom of Information and Protection of Privacy Act as it currently exists.

The bill we have before us has been improved in a

number of areas that raised farmers' concerns when its predecessor, Bill 105, was introduced. The non-refundable farm organizations fee under Bill 105 has been replaced with a refundable fee so that farmers have the option of asking for their money back. However, I think that many farmers will see the benefits of supporting these organizations and will not request that refund.

Other concerns about the legislation have also been addressed. We have worked with the Mennonite community leaders to alleviate their concerns regarding registration and providing funding to farm organizations. As result, Bill 42 includes a provision that allows Mennonites and other religious objectors to apply for an independent accreditation board for an exemption from sending a cheque to and registering with the ministry.

Bill 42 provides for a special funding mechanism for an eligible francophone farm organization. This is in keeping with the province's long-standing policy of encouraging and fostering the culture and language of our francophone community.

While it is true that less than half of Ontario's farmers belong to the organizations currently being accredited for funding under the legislation, other general farm organizations which meet the criteria will be able to apply to receive funding. This makes the legislation flexible in meeting the needs of a wider variety of interests in the farming community.

In this regard, the legislation is unique. Nowhere else in Canada do farm businesses have a choice of which farm organization they wish to support. I think it's healthy. It provides impetus to organizations to be accountable for their actions and focus on the needs of farmers.

There've also been some general concerns about how we are putting this legislation in place. I'd like to dispel some of those right up front. Some have called for a general vote in the farm community on the whole idea of stable funding. With the new bill's provision for refunds, farmers will effectively be voting with their chequebooks. Bill 42 also gives the minister discretion to call for a review of the legislation in three years if substantial numbers of farmers request refunds. However, again, I think the merits of supporting general farm organizations will quickly become apparent and farmers will recognize the benefits in continuing their support.

Along the same lines, some have argued that there was insufficient consultation conducted in the lead-up to this legislation. Members know that last summer 14 public meetings were conducted by the participating general farm organizations and the ministry in July of last year. Farmers were encouraged to either attend the meetings or phone a toll free-number with their views.

The fact that we have an improved bill before us now attests to the kind of care we have taken to address the

concerns of the farming community. Making the fee refundable, removing the Farm Organizations Funding Corp and removing the provision for fines are responses to those concerns. As some of you know, the idea of funding has been around for more than 20 years. The concept has had a thorough airing in the farm community at different points over that time. I can assure members that all farm businesses affected by the legislation will know well in advance of the bill coming into force what its requirements and benefits will be.

The new registration and funding system will also be administered in a way that is both fair and cost-efficient. As I've said several times, funding and staffing for the registration system will come out of existing ministry resources. No new staff will be hired and no further funding will be needed to run the system.

We have also simplified the process by eliminating the Farm Organizations Funding Corp, which was proposed under Bill 105. As the legislation stands, farmers make their cheques payable directly to the general farm organizations they choose to support. This is much more efficient than having to go through a third organization.

An independent accreditation tribunal will be needed to provide objective decisions on both accreditation and religious objector applications, but the tribunal will sit only as required, so we expect its operating costs to be minimal. Existing ministry resources will be used for administrative support both in terms of staff and funding.

Some farmers fear that the refundable nature of the fees may be arbitrarily revoked by the minister and that they'll wind up paying, regardless of how they feel. Let me assure you that this kind of change could only happen under a legislative amendment which would have to be approved by a majority of MPPs.

In addition to the public consultations held with farmers, Bill 42 recently was reviewed by the resources development committee. These hearings lasted eight days, during which a number of issues were raised by participants and fellow members of this House. Once again, presenters and members of the committee raised concern that section 33 of the legislation should provide for a mandatory review of the act. Ultimately, I believe that the responsibility rests on the minister of the crown to determine the desirability of conducting a review and it is he or she who represents the farming community in cabinet.

The matter of promptly issuing refunds was also raised. Some persons were concerned that the definition expressed in the legislation was not clear enough and required a specific time frame. The legislation states that accredited farm organizations must issue refunds promptly. This implies a serious obligation for these organizations, and I believe alone is sufficient.

In my opinion, it is in the best interests of accredited farm organizations to issue refunds as quickly as possible. Poor service will not be forgotten and will be factored into future decisions by farmers as they register annually and choose to support an accredited organization. I understand that the Ontario Federation of Agriculture has already committed to turning around refund requests in 30 days.

There were also concerns expressed that the legislation lacked detail on the registration and the tribunal selection process, such as the accreditation criteria. I will assure this House that the obligations for registration and the accreditation criteria will be fully described in regulations, which will proceed through cabinet over the next few weeks.

Finally, I have referred to the fact that we have attempted to work closely with the Mennonite community in developing this legislation. At committee, a number of presentations were made that certain provisions of the legislation, particularly the act of registration, might not prove acceptable to elements of the Mennonite community. As a result, the committee amended section 21 of the legislation to allow individuals to apply to the tribunal for a religious exemption both from paying a fee and from registering their farm business.

As I mentioned, this legislation marks the culmination of over 20 years of hard work by the farming community. Over the past two and a half years, I have worked developing this legislation with three general farm organizations which I believe to represent many of the interests of the farm community across Ontario: the Christian Farmers Federation of Ontario, the National Farmers Union and the Ontario Federation of Agriculture.

It was always my intention to have these organizations form the foundation of a funding mechanism for general farm organizations. Regrettably, when it came time to finalize this legislation, the National Farmers Union asked me to withdraw the organization from consideration as an accredited organization. I have done so reluctantly.

The NFU has withdrawn partially because it fundamentally disagrees with certain key aspects of the legislation and partly because in the end the bill would alter its national organizational structure, which the organization felt would outweigh the benefits of participating. While I do not agree with their position on certain issues, particularly the need to have a producer vote, I have valued their insights, their participation and their contribution. Indeed, some of their concerns have been reflected in the final legislation.

Perhaps the most compelling reason to introduce this legislation at this time is the rapidly changing environment our agriculture and food industry finds itself in. In order to remain competitive, farmers must have access

to the latest information on management practices, technology and the emerging issues that they need to think about and deal with. Increasingly, farmers are finding it necessary, in a complicated world, to remain in touch with one another and with the trends that are affecting their future livelihoods. General farm organizations play an integral role in assisting them with vital educational and networking services.

At the same time, in these days of fiscal constraint, government should have accurate information on exactly who we are serving so that we can better focus our policies and programs on areas where they are most needed. The days when the economy was buoyant, revenues were high and the government could continually introduce new programs and services are gone and I think they're gone for good.

Now, even with a substantial economic recovery, the public will demand a full accounting from the government of uses to which their hard-earned dollars are spent. This bill will allow us to collect the kind of information that will be in direct benefit to the farming community. It will also provide a stable source of funding for the important work done by the GFOs for the entire food industry.

I am encouraged by the amount of support this legislation already has in the farming communities throughout the province, and am convinced that those who are currently reluctant to support it will see and experience the benefits of it in the coming years.

1530

**The Deputy Speaker (Mr Gilles E. Morin):** Questions or comments?

**Mr Sean G. Conway (Renfrew North):** I want to respond to the minister's comments in the time that's permitted, because I'm not going to be able to participate in the debate later this afternoon. I want to say to the minister that this bill is an improvement over the bill that we first saw some months ago, and I congratulate the minister, his officials and members of the Legislature, including my colleagues from communities like Cornwall and Northumberland, who worked, along with the other members of the assembly, to improve this bill. The bill is now without the penalty provisions that were so controversial in first instance and there have been a number of other amendments that have been brought forward, in some cases by my colleagues to whom I have made reference earlier.

I want to say in the presence of very distinguished representatives of the general farm organizations, at least some of which are represented here today, that the farmers in my community well understand the good work they do.

There is, however, an expectation, as the minister suggested, that refunds are going to be very quickly processed and that we're not going to use administrative

instruments to—how shall I say this?—undermine the intent of the legislation and the clear intent of many of the submissions to the committee.

I want to say as well that there are still a good number of farmers out there who are concerned about the full agenda here. The minister has said that it will be a matter of executive privilege as to how and when this process is going to be reviewed. There was an expectation and a hope in some quarters that there would be an automatic review. That is not in the legislation. It is going to be left to a minister of the crown under support from the community as represented here in the Legislature.

I simply want to say, on behalf of the farmers of Renfrew, that we appreciate the good work that the general farm organizations have done and the improvements that are in this bill, but there still are concerns around a number of the issues. I hope those concerns continue to be addressed as we move forward to implement this new legislation, Bill 42.

**Mr Noble Villeneuve (S-D-G & East Grenville):** I too, in the two minutes available, want to respond to the minister's opening remarks. It was enjoyable, I will say, to sit in on the hearings that occurred over eight days during this past summer. Yes, we had a number of people who expressed major concerns and we had a great number of people who gave their wholehearted support to Bill 42, as opposed to what would have been a very controversial Bill 105, which indeed, if we had tried to correct it, I don't think could have been corrected and still remain a bill as originally presented to this Legislature.

I was certainly pleased to have some input along with my colleagues and the leader of the Ontario PC Party, Mike Harris, who certainly made his position quite clear on the refundable aspect of this particular legislation. I think that was a very positive aspect, as the minister has said. People will be voting with their chequebook. Indeed, some of the amendments that we brought forth will precipitate and ensure prompt reimbursement of those who wish to have their funds reimbursed. Secondly, the aspect of religious requirements will be exempt. I think that's most important and I think the government acted in a very, very accommodating fashion, reopening certain items of the bill as we proceeded through committee.

But in item 33, and I will be addressing this somewhat later, I certainly would have liked to have seen an open committee that could accommodate the kind of concerns which we, clairvoyant as we think we are, maybe would not have been able to foresee at this particular time.

**The Deputy Speaker:** Any further questions or comments? If not, Minister, you have two minutes to reply.

**Hon Mr Buchanan:** Just very briefly, I would like to thank the members who have made comments. The member for Renfrew North in his comments simply reflects the fact that the system works, that we brought a piece of legislation forward, that members in the Legislature had a chance to comment on it, that we sent it out to committee and that the farmers and farm organizations have had their opportunity to present their support and their lack of support at committee level and that there were a number of amendments made in this legislation that has been brought forward for third reading.

As the member for S-D-G & East Grenville pointed out, he had one amendment he would have liked to have seen which was not accepted at the end of the day, but overall I do appreciate the cooperation and the support we've had on this, because basically, as I understand at the moment, this has all-party support. That's because we've worked together back and forth in order to modify the legislation to make it acceptable to everyone.

That's one of my major principles and goals, to make sure that we unify the farm community and have farmers working together and farm organizations cooperating, as opposed to arguing and fighting with each other. It's very important for the future of agriculture that we work together, and I appreciate the support we've gotten from the opposition.

**The Deputy Speaker:** Any further debate?

**Mr John C. Cleary (Cornwall):** Mr Speaker, it is my understanding there has been three-party agreement that my colleague Joan Fawcett and myself will split the first amount of the allotted time back to back.

**The Deputy Speaker:** Is there unanimous agreement? Agreed.

**Mr Cleary:** I would like to commence by stating that I am pleased that the Minister of Agriculture and Food decided to bring this piece of legislation into the Legislature so quickly. I was afraid that he might stall as long as he did in the last session, when we watched seven weeks of the Legislature pass before introducing Bill 42, which is simply a tamed-down version of the previously prepared and much-despised Bill 105 that he tried to slip through the House last fall. Even then, it took the minister almost two months before he brought the same bill back for second reading.

In light of the obvious dragging of ministerial feet, so to speak, you can imagine my surprise when I heard it suggested that the opposition was stalling the bill. The registration forms were not even available. While I am uncertain where the root of this talk may have come from, just as I am perplexed that some farmers heard that I voted against Bill 42 on second reading, which I did not, I am pleased that we finally have the opportunity to draw to a close this long and much anticipated

legislation that may prove so vital to rural Ontario.

I know many of our farm organizations, some of which are with us today, worked very hard, along with a lot of other agricultural people in Ontario. We all have to thank them for that.

Of course, I must allow that as long as stable funding legislation has been in the making, close to a quarter of a century, I still have apprehensions over this latest attempt and how it will impact farmers. I know that many farmers across Ontario share the uncertainty and I think all parties and all farmers have to work very closely to make this legislation work.

For that reason, I was relieved when the minister told me, previous to my being asked to vote on the fate of the second reading of the bill, that he would send it to committee for full public hearings. Minister, I appreciate your intentions to get further input, and that's why I was able to support the bill.

I was shocked, however, when certain Tory and NDP members pushed for third and final reading of Bill 42 on the same day that it received second reading, without ensuring the adequate consultation and study which even the minister suggested was necessary. I'm pleased that the minister had better judgement. But perhaps I was even more startled when the same members who demanded that the bill be thrust on to farmers without further consultation suddenly changed their tune and paraded around saying that the hearings were necessary and responded to the needs of democracy.

1540

Despite the conflicting messages and apparent willingness of some members to overlook democratic participation, I firmly uphold that the two weeks devoted to public hearings this past summer were an excellent opportunity for our farming community, our farming organizations, our chambers of commerce and parliamentarians alike. I'm sure all who participated in those hearings learned a lot about agriculture in this province.

The hearings quickly revealed that the NDP bill was not perfect, that a significant portion of the farm community was not pleased, and subsequently forced the minister to recognize that amendments were necessary. Further, as all three parties moved over 20 amendments to the bill during committee clause-by-clause review, it is apparent that no one should have suggested that the bill was prepared and ready to receive final reading last July.

With this in mind, many of you will be aware that I and my caucus colleagues put forward a number of amendments.

We sought assurance of the timely processing and, if requested, the refund of the \$150 registration fee.

We demanded that all farmers be guaranteed return of their money if they requested it, regardless of any

financial difficulties that the ministry or the GFO may run into in the program.

We also asked that all forms of information supplied to the Ministry of Agriculture and Food be used solely for gathering farm data and not to monitor or regulate any other act or regulation.

Of course, I still have concerns over whisperings that I've heard many times—they're unconfirmed speculation, but none the less disturbing suggestions—that this legislation has been doggedly pushed by certain parties in exchange for other unrelated concessions, such as farm-related labour legislation or even possible ministry cutbacks in the future.

We requested that the ministry guarantee that the registration fee always be directed for research and education and not adopt any options to use or increase the fee as non-taxable revenue for the ministry's coffers.

We also insisted that the program undergo a current review with an all-party legislative committee within three years, something that our party felt very strongly about.

We even asked that in addition to religious objections economic hardship be considered a sufficient reason for fee exemption.

As well, we requested that the minister table all information he receives from the registration process in terms of crop figures, but not personal farm incomes, as well as the cost of administering the program. Obviously, if it was ever to be revealed that the administration costs exceeded the fees generated, then the program should be abandoned.

We are also concerned about administration costs that may cut in and that we may lose other agricultural programs, because we know that the Ministry of Agriculture and Food has a limited budget. The expense of this program should not outweigh any benefits achieved through education, research and policy advice, particularly as we see cuts to other vital ministry services such as field staff, dairy inspectors and agricultural colleges closed.

Our caucus was also sympathetic to the Mennonite and Amish concerns about the bill and how it relates to their religious beliefs. To this end, while I was pleased that there was an amendment put forward and accepted during the committee hearings that will allow Mennonites to be exempt from registering, I am not convinced that all of their concerns have been alleviated.

Perhaps my current apprehension over the religious provisions have been heightened as a result of the incident during the hearings. First, the Agriculture minister appeared before the hearings on August 23 and assured members that the Mennonite community was satisfied with Bill 42 as it currently stood. Shortly after that, however, a Mennonite bishop came before the

committee and stated, and I quote from the Hansard of August 31: "I saw a copy of Mr Buchanan's presentation.... He incorrectly presented the feelings of the Mennonite and Amish communities."

In fact, the bishop went on to reveal that the Mennonites have a number of outstanding concerns with Bill 42, including their reluctance to support, in any way, a lobby group; the suggested link between registering and receiving government assistance programs; and of course having their religious sincerity evaluated by an agricultural tribunal.

Indeed, the very foundation of the legislation, which is for all farmers to supply GFOs with \$150 for lobby groups to influence and sway the government, betrays their fundamental belief that government looks after their very best interests.

On that note, it is my sincere hope that the minister has altered his preconceived and misinformed notion that Mennonites approve of Bill 42 and that he has looked into their concerns and provided a real solution to accommodate their religious beliefs, but I do not believe they have been entirely addressed yet. In fact, just yesterday I was contacted by a Mennonite church leader, and he offered that their leaders should establish a three-person committee to represent all Mennonites and Amish farmers in meeting with the ministry's tribunal or any other government involvement over this legislation.

Finally, I maintain, as I always have, that if stable funding is to be implemented, it must be the will and choice of all farmers in the agricultural community. Even at the conclusion of the hearings this past summer, I do not believe that any member of the Legislature could stand up in good conscience and say that there is a single and unified voice on this issue.

Clearly there is not, and there remains a certain amount of opposition. I believe our role is to listen to the farmers of the province, heed the advice and options they offer and develop effective agricultural legislation. That is why I objected to the minister's first attempt at stable funding legislation, the offensive Bill 105 brought forward last fall, and have since strived to ensure that its replacement, Bill 42, receives public hearings and input.

I firmly believe that the provisions in the bill of gathering up-to-date information and statistics will assist farmers in the future in planning coordinated food strategies, while at the same time allowing the Agriculture and Food ministry to react and develop effective policies and programs. This being said, I also appreciate the concerns of many farmers that this component of the bill is only a sugar coating to get to the real thrust of the legislation: to transfer between \$7 million and \$10 million in government funding over to lobby groups.

To this end, I can appreciate that view of the dissent-

ing farmers that organizations such as the Christian Farmers Federation of Ontario or the Ontario Federation of Agriculture may not represent their interests. After all—and let's be frank—there are an estimated 65,000 farmers in this province, yet fewer than one third of those farmers have voluntarily chosen to become a member of a general farm organization. Clearly, not all farmers believe that one of the three major GFOs—the Ontario Federation of Agriculture, the Christian Farmers, or even the National Farmers Union, which has denounced Bill 42—represents their interests.

For my part, I am satisfied that we have made a very real effort to take the pulse of the farmers across Ontario on the issue. I have tried to communicate those concerns back to the Agriculture minister. As well, I attempted to evoke appropriate changes to Bill 42 during the clause-by-clause review last summer. At this point, while I still feel there are many areas of improvement, I'm very pleased about the 25% of the funds going back to our local farm organizations in each of our communities. I will be voting in favour of the third reading of Bill 42.

It is my sincere hope that the legislators, the farm organizations and all the farmers will be able to take this version of Bill 42 and work together in developing long-term effective policies and programs for rural Ontario, which are much needed.

**1550**

**Mrs Joan M. Fawcett (Northumberland):** I am most pleased today to participate in the long-awaited end, I guess we could say, or certainly the long-awaited third reading debate of Bill 42, the Farm Registration and Farm Organizations Funding Act, more commonly known in the ag and food community as the stable funding bill.

What I would like to do first of all is again clearly emphasize the Liberal position on this bill and take you through the lengthy process. Certainly our support has always been there for the concept of stable funding, but it's just how we reach it that has been of concern. Also, I want to take you through the lengthy process of finally getting this major piece of farm legislation to this point and then to share with all members of the Legislature some of the very interesting concerns and comments we heard during the two weeks of deliberations on the standing committee on resources development.

Our Liberal caucus has always supported the concept of stable funding. We feel it will allow the accredited general farm organizations to better provide education and analysis of farming issues. This is vitally important to the success of the agrifood industry in today's global economy. The world is different; the world is becoming increasingly competitive and complex.

I believe general interest farm organizations are necessary in order to have a balanced agricultural and food policy development. Agriculture in Ontario is a

viable industry—viable if its participants stay innovative and knowledgeable about all aspects that affect the business. General farm organizations provide that valuable assistance to individual farmers and to rural communities. They increase public awareness of agriculture and focus farm policy debates among farmers and public officials.

I've had the opportunity to attend some of these information nights and farm open house visits in Northumberland. They've always been most informative and go a long way in bringing urbanites into the 1990s type of agriculture.

Another area that is most impressive is the up-to-date lesson plans and materials for teachers that are now provided by the various ag awareness groups around the province. The group in Northumberland headed by Anne Burnham and her capable associates has done an excellent job, and they are always looking for new ways to promote agriculture. I know that with increased support even more could be accomplished. It can be an effective tool for getting the ag message out.

The work of general farm organizations creates benefits for all farmers. They provide a pipeline to the government by lobbying for orderly marketing, fair taxes, financial assistance programs, sensible land use and environmental policies. Since all farmers benefit from any advantageous results of the hard work and efforts, they feel, and rightfully so, that the cost of their work should be carried by all farmers.

Right now, approximately 20,000 of Ontario's 68,000 farmers directly support the work of general farm organizations. If the cost of such work were shared among all farmers who enjoy the benefits, a reasonable cost per farm operation would be then possible.

The difficulties facing agriculture continue to intensify. The individual farmer's ability to cope with issues is declining as markets become more international, and business success depends upon the management of information. The farm perspective needs study and explanation more than ever before. This implies a greater demand on the resources of farmers' associations.

Our previous Liberal government worked with the three general farm groups—the OFA, the CFFO and the NFU—in examining various proposals for obtaining fees and whether or not to make them mandatory. I will admit progress was slow in finding that appropriate model because it was hard to find an existing funding mechanism to attach a fee to that would apply to all farmers. However, our government was ready to proceed with stable funding legislation in 1990 and we assumed, as did the farming community, that stable funding would move forward with the NDP government. Finally, we are seeing that. At long last, after three years, we are going to see Bill 42 in legislation and hopefully in implementation soon.

When we look back over these three years, it took two years to introduce Bill 105; in November 1992, the minister introduced it, as we all remember, and we have to admit it was a rather feeble attempt to establish stable funding for the general farm organizations and was really so flawed and laden with bureaucracy that it really didn't see the light of day after first reading. In fact, it was so bad that the minister did draft a brand-new bill because of the outcry from the farming community, who felt betrayed by a minister who would encroach on their rights with the threat of fines and criminal-type penalties.

So you can imagine that there certainly was a level of mistrust placed in the minds of farmers, which I believe in some areas still remains in the minds of farmers, when such a major piece of legislation that would affect 65,000 farmers in Ontario was so badly flawed at first. We can see that certainly there are still groups out there that really do not trust the total intent of this bill, so I think it behooves us to now be very, very watchful as to what happens in the implementation.

But I feel confident that the two remaining farm organizations that are still in this piece of legislation, those being the CFFO and the OFA, will do everything possible to make sure that they reach out to all farmers, to make sure that all of the farmers realize the benefits of belonging to an organization that really basically wants to help farmers.

When the House resumed in March 1993, we in the Liberal caucus, and I'm sure those in the farming community, really did expect to see this bill come forward right away. We were all rather disappointed, because it did seem to be on a back burner. The government didn't call the House back, of course. We thought we were coming in March; we didn't come back until April, and then the bill didn't really seem to be a priority with the House leader. We would have thought, because of all the time that had elapsed—

**Interjection:** Remember Murray Elston?

**Mrs Fawcett:** We still have those asides from the third party that don't really mean too much, because when we know the truth we know that one person cannot stall anything. The government is in charge of its legislation, the government House leader is in charge of bringing forward the legislation, and it didn't happen.

**1600**

The government really could have been ready. It could have been ready when we resumed in April, but we really didn't see anything happen until June 3 and finally the major piece of farm legislation did come forward in the form of Bill 42. My colleagues and I were generally pleased with this bill and glad to see that the government had listened to us and had got rid of the unwanted bureaucracy and criminal penalties in the previous bill.

We were prepared to deal with this major piece of farm legislation as we would deal with any major piece of legislation through second reading, committee hearings and third reading debate. Knowing how anxious the general farm organizations were to have this bill proceed in an orderly fashion, we were sure it would be on the Orders and Notices paper the following day, but stalled again; not until July 21, some seven weeks later, Bill 42 appeared again.

This bill could have had second reading debate, gone out to committee and received third reading, had the government House leader brought it forward in an orderly fashion. When we did start second reading debate, there were no amendments brought forward by the government at that time, so I assume it just shelved this major piece of farm legislation for seven weeks because it wasn't a priority with the NDP government or its House leader.

I know, from a conversation with the deputy minister, that the NDP government wasn't really ready to implement the bill. She told me on July 20 that the registration form hadn't completed the design stage and that it still needed to be tested with farm groups before they could use it. But it didn't really mean that we had to wait seven weeks. In fact, some people who came before the committee might have been quite helpful in the design of the registration form for this major piece of legislation.

We then went out to committee on August 23 and finished the hearings and clause-by-clause by September 2. We assumed that this bill would proceed as scheduled and that when the House resumed on September 27, it would be before us. So here we are. Finally, on October 6, we're into the third and final reading. I'm very pleased that the minister did convince the House leader to bring it forward so that we can get into the implementation stage as quickly as possible.

As I've said before, the bill is vital to the voice of agriculture. Understandably, the general farm organizations are really very anxious, and it's interesting to see so many of them here today for this final reading. It is welcome to see them here and in support.

I'm sure that especially the Tory members will remember the voice of the OFA after the 1984 budget back in that time of Dennis Timbrell, the then Minister of Agriculture, and Larry Grossman as the Treasurer. I recall that in that budget, the Conservatives avoided any new funding to agriculture, and in an unprecedented move, the Ontario Federation of Agriculture called for the resignation of Mr Timbrell and Mr Grossman. It's always interesting to listen and hear the aside comments of some of the Tory members as to who stalls what and who is really interested in agriculture.

Even those working in the Deputy Premier's office at the time, I believe Carl Sulliman, who is the current director of the OFA, would remember the uproar that

caused, not only in the farm community but I suspect in the halls of power as well. But I'm sure that the NDP government and the present Minister of Agriculture are not too anxious to hear that kind of voice again, and maybe that's why we've delayed the bill until now. At any rate, we are going to go forward.

I'd like to share with the members some of the many concerns and comments we heard at the standing committee on resources development, because I think a lot of those comments are very valuable and something that we should keep in mind. I will try also to highlight the views of the general farm organizations and groups that we heard.

Certainly one particularly memorable deputant was John Drudge and, I believe, his wife and son, who also appeared with him. I think it was quite interesting and memorable simply because it is not usual for them to come before a committee of the government. But they wanted us to be sure that we realized how they felt and why they were concerned.

I know that in the minister's opening statement at committee, before the committee began, he mentioned that the Mennonite community was in agreement with Bill 42 and that it was satisfied with the religious provisions provided in the bill. I think we on the committee were very surprised and almost taken aback when we found out that there was definitely a problem. Even the deputy minister had assured me, and I certainly believe she did everything possible when she went to meet with the elders, and I really believe that the minister and the deputy minister thought they had addressed the Mennonite concerns. But when we heard the testimony from Mr Drudge, the bishop, we learned that Bill 42 was in fact against their beliefs.

They told us about the 18 articles of their faith and the one about civil government, which to me is very interesting. They really believe that government is instituted by God and that government is to be respected and obeyed and honoured. They teach their people to obey the laws, ordinary government laws, so they want to be able to do that. I realize that there are many different sects to the Mennonite faith, but certainly when some of them looked at Bill 42, it was really going to be something that was of real concern to them. They assured us that if we could make a law that they could obey, they would do so, but as it stood, it really was against their beliefs. So it was very timely and of great importance that they came to us and put forward their beliefs.

Afterwards a letter was sent, I think the next day, and it further explained that the tribunal idea was not something that met the needs of the Mennonite and Amish people, and contrary to what Mr Buchanan had said in his address, it did not meet the needs because it did not exempt them from registration.

They also stated that as it stood now, if Bill 42 were

passed and all farmers must register, then they couldn't conscientiously register, because they would be breaking their own laws, and yet they didn't want to break the law of a government, so it really put them in a corner.

#### 1610

I know that it really made all of us think on the committee, and one part of the letter, if I could just read it, said: "We are pleading and pleading with you to make laws that we can obey. We are not asking for money. We simply plead with you to only make the kind of laws that we, as God-fearing people, can conscientiously support and live by."

The government did change that portion of the bill and I hope it now suits all of them because I firmly believe that this group is a very honest group. They want to do what is right, but they also have their own religious beliefs to live by. I haven't heard back from any of them, but I know that my colleague said he had been talking to them. Hopefully, we can keep that kind of dialogue up so that we can address the concerns that are out there.

Another area of controversy—well, I don't suppose I should use the word "controversy," but "concern"—was over the tribunal. That wonderful farmer from Mississauga North discovered that there was no appeal mechanism in the tribunal and that as far as he was aware and with his, I suppose we could say, legal farm mind, he looked at this very carefully and noted that most tribunals, in fact most of the ones he could think of, had some kind of appeal mechanism and yet there was not that kind of mechanism in this bill.

I know the minister has talked about it and the deputy minister, but we really feel strongly that there should be some group or body other than possibly the minister and other than expensive court processes, so that if a decision is made against someone—for instance, if a group wanted to be accredited and the tribunal said, "No, that's it," maybe the tribunal—we would hope they will always make very just and right decisions, but being human, sometimes things happen and maybe things were misinterpreted or whatever, so an appeal mechanism should be there. I hope that in the future we can carefully look at that and make sure that anyone who decides they have received a wrong decision can have someplace to go for a relook at the whole thing.

Also, I think my colleague has mentioned the review process, one of the final clauses of the bill. I know that in the original bill, Bill 105—I guess I would have to say that even though it was so badly flawed, that one section of that bill was something we definitely agreed with, that being that after three years, "the minister shall cause a review of the act to be conducted to determine whether it is advisable that the act continue in force."

We really had hoped that would remain in Bill 42 and in fact we've even made an amendment, changed it slightly, so that it didn't necessarily have to be the

minister who would review it, but even a legislative committee, a standing committee of the Legislature, could look at it and review the program to see that everything is working properly. I think any bill needs to be reviewed. We need to look at it, and if there are parts that are not working, then change them for the betterment of the group that it's intended to serve. I would still like to see that a definite review is done at least every three years.

There are other issues of concern, certainly, like the length of time it will take for the return of cheques to those who don't wish to support the general farm organization. We had some discussion, and there were some for and against. There were people who didn't have any problem with the word "promptly," but then there were some who did and who would like to have seen an actual turnaround time stated clearly as to the numbers of days or weeks or whatever. That did not get addressed.

I just have to draw to the attention of the government that I know there was one section of the bill, I believe it was section 20, and it was certainly just by accident when it was left out of the legislation as to who the cheques should be going to. If I remember rightly, it was, "When filling out the form, provide to the ministry payment of the prescribed amount." All of a sudden I could foresee all the cheques going to the ministry instead of to the general farm organizations. I know that, to its credit, the government certainly decided it'd better change that very quickly. Things can be left out. Things can just inadvertently be not exactly what was intended.

So I really think that we should make sure that some of the words—and since I'm talking about this word "promptly" here, we can hopefully trust that the general farm organizations will definitely make that turnaround time as quickly as possible for those people who are asking for their money back.

I have not seen a final draft of the registration form yet, but I hope that certainly will be made available soon and that it will not provide undue hardship on the farmers who, again, will be asked to fill out the registration form. Maybe it will cut down some of the paperwork that they have to continually fill out when applying for other associated programs and so on, where all the information it seems has to be reiterated again and again.

I'd like to now just address and share some of the information that came forward from the general farm organizations, some of which were very, very pleased and happy to be seeing the bill go forward. Of course, there were some concerns. Certainly it's nice to see members of the Christian Farmers here. I really think their submission towards a better-financed general farm organization definitely said it very well. They found that the rationales for stable funding are the ones that have

been reiterated. Certainly they need to be better funded to provide better service, because of our increasingly technological and competitive world.

The whole idea around research is very, very important, and they stressed that there has to be money and the availability of money to go into research so that farmers can stay competitive in our world.

1620

The commodity organizations certainly have become more effective with their funding, and so it's only natural, then, that we would assume that our general farm organizations would really dramatically change with increased funding. Certainly there is, we have noticed in the last few years, a definite difference in the relationship between lobby groups and governments. It seems that the squeaky wheel gets the grease. In order to keep the Agriculture ministry viable, we need to make sure the Treasurer and the Premier realize that this is definitely an important part of government. Rather than cutting back programs, we want to see an increase of programs, and programs that will definitely assist farmers to be more competitive and to be viable, because certainly we are still hearing that it is very, very difficult for farmers to really make it without even extra, off-farm incomes. Anything that can help keep the farmers' voices heard at the government level is definitely going to be received well.

I think too that the Christian Farmers have definitely represented a separate group than maybe the OFA, but generally speaking their thrust is the same. Naturally, many people would like to think back to the old family farm concept, but it's a different family farm concept now. We need to really be sure that our organizations will be well funded and then can provide good service.

Certainly one group that I guess, unfortunately, is not too happy with this whole bill is the National Farmers Union. I think we generally were disappointed to have them withdraw, but they have their own reasons. Now we are left with just the two organizations. The National Farmers Union, I guess in no uncertain terms, put some of its democratic ideals forward and stated that it did not think this bill was democratic. I know they wished a vote and certainly expressed concerns very often. Peter Dowling is one person certainly still in touch with me. I do take what he says seriously and yet can't totally agree on all fronts.

One area, though, that I think really we should all consider is the fact that they really felt that they weren't invited to all of the meetings. I know explanations were given by the deputy and the minister and even the parliamentary assistant, but they really felt they were shut out of certain parts of the process.

To me, that is easily addressed: that in the future we make sure that people who wish to come to the meetings, people who wish to participate, people who wish to have input should really be heard. Whether or not the

government believes it did everything possible, the perception out there was that because the NFU did not really go along with the government on the total bill, then it was just sort of ignored and wasn't always made aware of what was going on and the meetings.

I know they were also very concerned about the conflict of interest of some of the members of the committee. That definitely was addressed by the commissioner, Gregory Evans. I was thankful when direction was asked of him on whether or not members were in conflict, because it is serious business if members of the committee are perceived to be in conflict. He found that the members were not in conflict and that you could belong to an organization and still participate on the committee. But the perception is still out there. I received a letter from Glenn Coates which I sent over to the Conflict of Interest Commissioner. I think again the same result happened. He found that there was no conflict, but he was I think sufficiently disturbed that he has now sent out to all members of the Legislative Assembly a directive that it would be in the interests of everyone if at the beginning of committee hearings the Chair would ask if any member of the committee perceives or believes that they are in conflict, to so state. I think that certainly will be a beginning, anyway, to allay some of the fears around the conflict of interest, because that certainly is something that was out there and is not exactly resolved yet, according to the NFU group.

Certainly, the OFA has been there and has given us solid reasons why Bill 42 is going to provide some further help that is needed for it to do its job better and for farmers to benefit. I want to say that they have been forthcoming with statistics and information that we asked for along the way. From what I have seen, they really are there. As they say, they are farmers working for farmers and so they know what farmers need, and they are hopefully going to even enhance what they can now do to make sure that all farmers will benefit from Bill 42.

They get involved in any area that really affects farmers, whether it be international trading rules—and I have the article from the OFA that states just all of the good things that it thinks farmers want and all of the different areas that it gets into, whether it be landfill, land use, farm labour relations, the Canadian identification of domestic agricultural products, the commitment by all governments to the future of farming, and so on. They do so much. So I think we are very happy that now we will be able to see just what they can accomplish.

I have to mention too the Silent Majority, which came before us. They really did try to put forward their thoughts and goals. They have two main goals: to create an opportunity to educate and inform farmers about stable funding and to ultimately create a situation where

stable funding is decided by a free vote for Ontario farmers. I know they really tried to put this forward, and they had some good points; there's no doubt about it. I know they are disappointed; there is no doubt about that. Certainly the member for Chatham-Kent has been a champion of their cause, and I'm sure they'll be continuing—

**Mr Randy R. Hope (Chatham-Kent):** My cause.

**Mrs Fawcett:** Your cause? All right, if you wish: your cause. I hope that maybe, as time goes on, they will not be as suspicious, that they will see that maybe some of their fears were unfounded; that democracy is there and will be proven.

1630

I would be remiss if I did not mention my own Northumberland OFA, which came before the committee and made presentation. Northumberland has a very strong OFA, which does a lot of very, very good work. I think other areas could benefit from the way they handled this whole stable funding issue.

A lot of people thought there was inadequate consultation, that the consultation out there just didn't happen. We've heard there were 14 meetings; however, they felt that some of the meetings maybe were even staged. I would like to put on the record again how they used their own meetings—they have 12 of them a year—to discuss issues, and they certainly thoroughly discussed the stable funding issue. Six of those meetings were open to the public, to all farmers, so they didn't close anybody out, anyone who was interested in stable funding. They made it known that this would be discussed at their meetings. They were constantly trying to get the message out.

They also have what they call summit meetings. In addition to their own 12 meetings, they have summit meetings, which involves eight counties getting together to discuss issues. To me, that's the OFA working at the grass-roots level. Hopefully, now, with extra support, they will be able to provide even more available information and discussions to the whole farm community.

In closing, I would like to say that we in the Liberal caucus want to see a strong, vibrant agricultural industry flourishing in Ontario. We realize that we must all work together to meet the challenge of producing enough food with sufficient return for the farmer. We want to work in partnership with the farming community and all of the farm organizations and groups to ensure that they have the resources they need to make certain of the survival of the family farm throughout difficult times ahead.

I guess I'd just close by saying that a lot of people may think that some of the cows have been left out of the barn on this one, but I think we feel that the main herd is secure in this bill, so the Liberal caucus will certainly be supporting Bill 42.

**The Acting Speaker (Ms Margaret Harrington):** I thank the member for Northumberland for her remarks. Now we have time for questions and/or comments. Is there anyone who would like to participate? Seeing none, I would ask if there are any more members who wish to participate in the debate.

**Mr Villeneuve:** First of all, Madam Speaker, let me congratulate you officially from my seat down here in the Legislature on your appointment to share the Speaker's chair with yours truly and the Deputy Speaker and the Speaker. I wish you well and I hope the days are not too stormy when you're in that very special seat.

First, I want to say that our party will be supporting Bill 42. Bill 42 has been in the gristmill for a very long time. I certainly want to commend the official opposition for its input, and I want to commend the minister and his parliamentary assistants for having done what I feel is a fairly good job in a situation where, agriculture being the type of industry it is, it's simply impossible to keep everyone happy all of the time.

We have many commodity groups and they're well represented; they represent their fine, narrow line of commodity very well. But we need a large umbrella group to speak for agriculture as a whole. I think the general farm organizations, as they have now been set up, as much as they may not be perfect, are as good as we could find in this rather imperfect world of difficulties.

Let me tell you, and I have never hidden the fact, that I am a card-carrying member of the Ontario Federation of Agriculture and have been for many years. I certainly appreciate seeing a former president of the OFA here with us today, Mrs Brigid Pyke. The very first time I met this lady was on a certain committee called the tax and assessment committee some 15 years ago. The main problem there was attempting to correct the inequities within the taxation system at the farm real estate level. I can tell you without hesitation that we worked on that committee quite extensively, attempting to lock into place a situation where the Ontario farm tax rebate would have been taken off at the source; in other words, farmers would not have been required to pay and then be reimbursed.

It came this close to being law. However, certain farmers within the province of Ontario saw the right and privilege of paying their taxes as sacred. We respected that, and therefore the farm tax rebate stayed in place as it was, with the reimbursement, excepting for the house and one acre of land, varying from 100% to 75%, and deviations and variations thereof.

It was interesting that the Liberals, during their time, made some political statements. I won't be very political, other than to say that the predecessor of the very honourable member for Brant-Haldimand was the former Treasurer of the province of Ontario, and he reduced the farm tax rebate considerably. I believe that

may be the reason why quite a number of NDP members in this Legislature from southwestern Ontario came to be elected. Maybe if we had had a GFO back then, it would have saved the Liberals; they might still be the government. However, that was not to be.

Getting away from the political aspect, agriculture in the province of Ontario employs, directly and indirectly, some 20% of the population when we consider the production end of things, the processing end of things, the trucking, the manufacturing, the entire food industry. Without people to produce this food, we don't have that industry which employs, directly and indirectly, 20%. In my opinion and in the opinion of many people in this Legislature—not everyone—it's the most important industry within this province. We have the ability to produce well above our requirements to feed the 10 million people within this province. We need the monetary incentives.

1640

I must sympathize a bit with the Minister of Agriculture and Food, and it's rather strange coming from one who is considered to be one of his critics. Within the government of Ontario in the past two years, we have seen the budget for the Ministry of Agriculture and Food cut by 10% per year over the last two fiscal years, the last two budgetary years of this province, to where it is very little more than 1% of the entire budget of the province of Ontario.

That includes \$159 million being returned to the farmers of Ontario in the scheme known as the farm tax rebate. You take away that \$159 million, which in my opinion should never have been paid in the first place, and we have a very small portion of the \$53 billion that is allocated as the budget for the province of Ontario going to those who produce the food. It's a very important aspect.

We often see people in downtown Toronto who don't understand the food production end of things complaining about the food producers. If they only knew a little bit about the very important aspect that production has, particularly in this part of North America where we have a frost-free period in the area where I live from May 10 to September 12. That's the official statistic. It's a very short period of time in which to produce a crop and have it ready for human consumption.

These are some of the major dilemmas that are faced by our agricultural producers.

The forms that are going to be implemented by the ministry, and we've seen them, as far as I'm concerned are user-friendly. I think it was very important to have application forms that would not be complicated, would be user-friendly and would be general in nature while still producing enough information for the ministry to provide farmers, food producers, with the statistics that it is very important to have.

We have many agricultural programs. The farm tax rebate probably is the most important, but we have many other farm programs oriented towards agriculture. If we don't have representation from the Christian Farmers and from the Ontario Federation of Agriculture, and I was sorry to see the National Farmers Union drop off because I think that would have been a fairly good team for a general farm organization, to speak on behalf of the 2% or less of the population in Ontario who are known as the food producers—it's much more complicated than many people would even attempt to understand, the research that has to go on, the implications.

I'll simply use one example. It's a bill that was brought in here recently that will be providing an Environmental Bill of Rights. I think it's very important that agriculture have major input into a bill that will provide an Environmental Bill of Rights. Certainly, I commend the government; it did have representation there, with input to protect and to at least look after the interests of the food producers.

We always find it rather ironic when some of the so-called environmentalists talk in downtown Toronto about the natural way of producing food, but they get out into rural Ontario and at this time of the year there happen to be manure piles that are being removed from where they were all summer, back into the field, and that creates quite an odour. That is a very natural way of producing food, going back to basics. These environmentalists are the first to say, "Oh, my, can you smell this pollution?" Well, I'm sorry, that's not pollution. That is the natural phenomenon of returning fertilizer to the soil.

**Hon David S. Cooke (Minister of Education and Training):** Quite natural.

**Mr Villeneuve:** The Minister of Education and Training is questioning. I tell you, Mr Minister, that I happen to live in that environment, and when some of my city cousins come to visit us on Sunday afternoon, they say, "My, my, my, this is a terrible odour." Well, that's the farm, and if you choose to live in that environment, that is not pollution. As far as I'm concerned, that is doing what is very natural and normal, returning natural fertilizer to the soil to produce a crop the following year.

The GFOs will have much to do. It's interesting that while we debate many bills here, many of them touch agriculture in a direct and sometimes somewhat indirect fashion. If organizations such as the Christian Farmers and the Ontario Federation of Agriculture were not there to provide us, the elected people, with the implications and ramifications of certain legislative projects, we may not be aware of the full impact that these would have.

Certainly we, the elected people, appreciate having the GFOs as we've known them, and as they become more and more involved in providing information to the government of the day and to the opposition regarding

the aspects that touch agricultural and rural life.

The Sewell report is another one that will have far-reaching effects on agriculture.

Again, I go back to the Environmental Bill of Rights. Many people will be able to take their neighbour to court based on the Environmental Bill of Rights, but the government is excluded. I know the bill of rights refers back to the Farm Practices Protection Act and it's still a very grey area, but we have to have a strong voice speaking for that very small percentage of Ontarians who are out in the barns and in the fields doing what they do best, and that is producing food.

The amendments to the labour laws, Bill 91, are of concern to me, and certainly again our GFOs will have to be vigilant when this type of legislation comes in, because farmers are in a rather unique position where in most cases they have very little to say about the value of their product at the farm gate and very little to say about their cost of production. It's a bind and it's a rather unique type of business to be in. Many of them produce food, many of them are in competition with one another, and what's good for one neighbour is not necessarily good for the other. That's what makes the dichotomy of attempting to represent agriculture as a whole a most difficult one, and I think we have the best mechanism possible in an imperfect world.

Yes, we have heard from a number of individuals and individuals who represented groups that were totally against any sort of legislation, and certainly we as a caucus and I as an individual appreciate that. However, again we look at the pros and cons, and in my humble opinion we need representation, the type of representation that will be occurring through the GFOs.

My colleagues from the Liberal Party talked about some of the amendments. Yes, we provided some of the amendments as well, which the government did not see fit to support. So be it, because they do have a majority in this Legislature and they have a majority in committees. As we voted, it was rather interesting to see that yes, they were to some degree agreeable to some of the amendments that we had put forth; however, not quite agreeable enough to support them. That's the way it is.

Several amendments that were spoken of spoke about the religious objection, and my colleagues in the Liberal Party also spoke of that. Yesterday, I received a letter from Bishop John Drudge, who is from the Amish-Mennonite community. I know we will have very little input, other than possibly what's in Hansard, in formulating the regulations, but I think it most important that this be on the record. The request here is rather simple and it's signed, again, by Bishop John Drudge, RR 2, Wroxeter, Ontario, and reads as follows:

1650

"Would it be possible to have a committee of three of us Mennonite-Amish leaders meet the tribunal on behalf

of all the Mennonite-Amish community of Ontario, present a list of names and addresses of Mennonite-Amish farmers, verifying that those named are indeed members of the Mennonite-Amish churches and are conscientiously opposed to registration and funding with lobby groups under Bill 42? I believe that is something that could and should be included. We could present to the tribunal an annual report, in person or in writing, of new farmers starting up and of retiring farmers."

At present, Bishop Drudge is on a three-man committee representing a number of Mennonite-Amish churches to keep their people informed of the progress of Bill 42. The bishop continues:

"We personally know most of the Mennonite-Amish leaders in Ontario and would be able to have contact with the ones we don't know personally. This same committee could take the added responsibility of being a contact for the government and the tribunal on behalf of the Mennonite-Amish community."

The bishop concludes with his suggestions.

"(1) Ensure the government and the tribunal that only genuine Mennonite-Amish farmers are indeed in the exemptions to Bill 42.

"(2) Greatly relieve all Mennonite-Amish farmers and leaders of the enormous cost and inconvenience of personal annual trips to Toronto to meet with the tribunal and to prove what can and should be done by the three-person committee representing the Mennonite-Amish communities."

I certainly commend the government for having met the requirements of the Mennonite-Amish community as we went through and as we discussed the clause-by-clause in the committee. I believe if this were included in the regulations—and I realize that you want to leave the tribunal with sufficient flexibility to be able to operate, but I think this is not an unreasonable request and I think it should be looked at in a positive fashion.

The seven-person tribunal will be appointed by the government of Ontario, hopefully after some recommendations by community leaders in the rural and agricultural areas. I'm quite sure the minister will take into consideration many of the suggestions that come forth from the general farming community. However, one item that I had some great difficulty with is item 29, which says, "A decision of the tribunal is final."

I guess that within the legal context of the bill that is correct. However, it is not correct in that individuals or groups would have recourse to the courts and to the Ombudsman, to name at least two. I simply suggested during committee that the decision of the tribunal may be final as far as the tribunal goes, but indeed that is not the case, because there will be avenues beyond the tribunal itself and the general farm organizations.

That stands as it was and continues, but I want to make sure it's on the record that if indeed a tribunal

decision goes against an individual or a group of individuals and they feel aggrieved, they do have the courts of the land, they do have the Ombudsman and the Ombudsman's committee, to name at least two alternatives.

In respect to item 33, "After three years have elapsed since the coming into force of this act, the minister may have a review of the act to determine whether it is advisable that the act continue in force," I simply want to reiterate that this is a new creature of government, one that will be roaming the rural routes of Ontario for the first time, and we just don't know what will transpire. I would have felt more comfortable had we been able to set up within the confines of this legislation a vehicle by which at the end of three years a standing committee of the Legislature could have received input from those who were aggrieved by this general farm organization or those who felt as individuals that they were not dealt with fairly, those who do not feel that, if they want to be reimbursed their registration fee, the timeliness may or may not be what they felt.

There may not be any problems. If there were no problems, it would simply be a matter that, "We've had a committee, it was available for those who were aggrieved or unhappy and we had no takers." That's fair game. Then this committee could have reported to the Minister of Agriculture and Food stating that there are no problems or that there are some problems or that there are major problems, and then the minister would have had the last word as to whether we should reopen Bill 42 to correct the inequities. If it were running so smoothly, and let's hope it is, that there are no problems, well, then we simply continue.

However, this again was defeated. It was slightly different from the request in the amendment by my Liberal colleagues, who wanted it to come back to the Legislature. We simply think this belongs with the Minister of Agriculture and Food, and the committee would have reported to the Minister of Agriculture and Food.

I have about half a dozen of my colleagues and, I appreciate, probably some of the government members who want to put some of their concerns on the record. Many of the things that I was to put on the record were already done by my colleagues in the Liberal party, so I will simply say that I am glad to see this day come when agriculture will have a strong voice by people out in rural Ontario speaking on their behalf in order to protect the interests of those who farm and those who produce the food for us, the population of Ontario, and for many others beyond our borders.

**The Acting Speaker:** I thank the member for S-D-G & East Grenville for his contribution this afternoon. We do have time for questions and/or comments.

**Mrs Barbara Sullivan (Halton Centre):** In response to the remarks of the member, and in fact to

those of the previous two members who have spoken on this bill, I think that each one of them has referred to the 25 years of controversy leading to a stable funding bill for general farm organizations. It's very clear that some of that controversy is still underlying the atmosphere and the development of this bill.

It seems to me that while the members have all, I think, in their remarks given recognition to some of the very positive work of general farm organizations, I'm most particularly familiar with the work done by the Ontario Federation of Agriculture, since I'm hounded by one of the executive members who comes from my own county. But certainly the Christian Farmers organization keeps me and many other members of the Legislature up to date with the work that they are doing within their own organizations.

We have seen that kind of work in our own communities, whether it's land stewardship issues, conservation issues, marketing issues, environmental issues, which the member raised, or animal welfare and taxation issues, which have been raised by all of the speakers so far. One of the things that I believe we are going to be seeing, however, is an increased demand for accountability, not only in the financial affairs of the organization but in terms of how the organizations themselves approach the use of the resources in terms of leading to a more competitive advantage, marketability, and bringing to the attention of the public the issues affecting the farm community. I believe that what we will see from farmers themselves, as 65,000 people will be registered under the GFOs, will be value for money and an accountability requirement that may itself be as useful as any legislative review.

**1700**

**The Acting Speaker:** Are there other members who would wish to respond?

**Mr Ted Arnott (Wellington):** I will not take two minutes to respond. I just want to commend and congratulate the member for S-D-G & East Grenville for his outstanding presentation this afternoon and for his consistently eloquent work on behalf of the farmers of Ontario. I certainly appreciate it, the farmers in Wellington county appreciate it, and I just want to demonstrate to all the House and thank the member for his outstanding work on behalf of agriculture in Ontario.

**The Acting Speaker:** Are there any further members who wish to participate? Seeing none, the member for S-D-G & East Grenville has two minutes to respond.

**Mr Ron Eddy (Brant-Haldimand):** Madam Speaker, I wish to—

**The Acting Speaker:** Oh, we do have one more person.

*Interjections.*

**The Acting Speaker:** No? Okay, the member—

**Mr Eddy:** Over the protests of those who don't wish

me to speak, I assure you I will be—

**The Acting Speaker:** I have not yet recognized the member. I will recognize the member for Brant-Haldimand.

**Mr Eddy:** Madam Speaker, thank you very much for recognizing me. I'm sorry I wasn't in my seat at the time; I should have been, of course. I have been attending all afternoon. Apologies to those who object on the other side, but perhaps the opportunity may arise when I will be able to give you the same courtesy.

I want to welcome the members of the farm organizations who are here today because we in agriculture owe them a great debt of gratitude, there's no doubt about that, for the work they've done on behalf of agriculture over the years, and I am one of those. The members for Cornwall and Northumberland, both of whom are involved in agriculture, have given the pros and cons of the bill and expressed their concerns about the bill and what it does and what it provides. Indeed that is the democratic process, and of course it's not just for us here; although I must say, it's very educational when I sit in on any of the debates to hear the various viewpoints. It is the democratic process. Indeed, a great many of my constituents from time to time comment on the basis of what they see here in the Legislature. I think that's important.

The member for S-D-G & East Grenville made some comments about what happened previously. Of course, the matter of the farm tax rebate has been of great concern to many. There was a proposal to deduct it at source, and that's great. The part of it that I disagree with is taking it out of the OMAF budget, because I think OMAF funds are the most important of all, for the research projects etc, and I want those to continue.

**The Acting Speaker:** We do have time for one more participant. If not, the member for S-D-G & East Grenville has two minutes to respond.

**Mr Villeneuve:** I want to thank the honourable members who have replied, and I won't take up a lot of time. It's simply been an exercise in attempting to clarify a number of situations in this bill. I was certainly very pleased and proud to be part of it.

The member for Brant-Haldimand, who comes from a very rural community, was very helpful. The member for Halton Centre certainly realizes what agriculture's all about, and I want to thank her for participating. My colleague from Wellington is in a large rural agricultural community where there are quite a number of Mennonite and Amish people, and certainly we have attempted to protect them as much as possible, because it is only fair that they also receive whatever government support is available to other farmers in agriculture and that their religion not be an impediment to them obtaining what is available and indeed their part of being good farmers.

To all of my colleagues, thank you very much. To Elbert van Donkersgoed out there, it's great to see you with us, and to the members of the OFA who are here, thank you for being with us.

**The Acting Speaker:** Are there further members who wish to participate?

**Mr Allan K. McLean (Simcoe East):** On a point of privilege, Madam Speaker: We allowed the Liberals' two leadoff speakers to go back to back. I would ask for consent of the House for the same to be awarded to our party, that I may be able to continue now.

**The Acting Speaker:** I would have to ask for unanimous consent from the House. Is it agreed? It is agreed. I will recognize the member for Simcoe East.

**Mr McLean:** I thank the members for allowing me to proceed. I want to welcome the groups that are here today watching the debate on Bill 42 and I welcome the opportunity to put a few remarks on the record.

I will be giving my support in principle to the government's second attempt. I want to say that Bill 42 was introduced and received first reading on June 3, 1993, and second reading on July 21.

It is supposed to: provide a funding mechanism for the general farm organizations in Ontario; permit the GFOs to concentrate their efforts on research, education and providing policy advice to government; provide a common voice for producers through effective representation and influence on their behalf; contribute to the stability of agriculture in Ontario, which in turn helps to sustain economically viable farm and rural communities; and also improve the ability of the government to develop and implement effective agriculture support and development programs.

I suspect that everyone in here is aware that in November 1992, Bill 105, the Farm Organizations Funding Act, was introduced and received first reading. Its passage did not occur and it was carried over to the next session for second reading. It did not pass for some very good reasons, and I'll talk about that shortly.

Following introduction, the Minister of Agriculture and Food backed off somewhat and announced that changes would be made to the bill. One of these changes involved dropping the provincial offence provision if a farm business does not register and pay its fee. He later announced that rather than implementing a mandatory registration system and fee payment, a refund would be issued to those farm businesses that did not want to support one of the three accredited GFOs at that time.

There was a massive public outcry over Bill 105 because there was no doubt in anyone's mind that the NDP government was peddling a piece of flawed legislation. Immediate and strong opposition from grassroots Ontario farmers, the NDP's own provincial council and the two opposition parties brought this bill down

and prevented the quick passage the Minister of Agriculture had hoped for. The minister was then forced to return to the drawing board, and on June 3 he returned to the Legislature with a new and improved version, which he called Bill 42.

I believe people should take note of the 10 principal elements of Bill 42, which include the following provisions:

It would require the mandatory registration of each farm business in Ontario with greater than \$7,000 in gross farm income, including individuals, partnerships and corporations.

It would require, as part of this registration process, the farm business to provide the ministry a cheque payable to an accredited farm organization in the amount of \$150. It would give each farm business the option to request a refund from the appropriate general farm organization, and it would also allow people who have a religious objection to paying fees to a GFO to apply for an exemption.

They also want to establish a farm registration database system for Ontario farm businesses. It would permit access to certain programs, such as the farm tax rebate program, only to those who have a valid registration number with the ministry.

They also want to establish the Farm Organizations Accreditation Tribunal, with the power to accredit organizations applying for status as general farm organizations and hear applications from religious objectors.

#### 1710

It would require that each organization seeking to be accredited apply for renewal of accreditation every three years and establish to the satisfaction of the tribunal that it continues to meet its criteria for accreditation, and provide for the funding of an eligible farm organization that serves the interests of francophone farmers and offers its services to farm businesses in the French language.

Once again the NDP government has brought forward a piece of legislation that people either love or hate. There appears to be no middle ground.

For instance, Joe Daunt Jr, chairman of the Silent Majority of Listowel, calls Bill 42 "a dangerous piece of legislation which has been brought forward to appease the lobby of a small group who represent a minority of Ontario farmers." He concludes that "the issue of stable funding will remain contentious until it is settled by a free and democratic vote of all farmers."

On the other hand, we have Arend Streutker, president of the Christian Farmers Federation of Ontario in Guelph, who is on record as welcoming the legislation for a mandatory farm business registration and the refundable farm organization fee. The CFFO has stated that Bill 42 "sets the stage for a greater ability for

farmers to decide the future direction of Ontario agriculture. It is very timely, as it is clear that government deficits must soon result in government doing less."

It is my understanding that the Ontario Federation of Agriculture has also thrown its support very strongly behind this legislation.

It is also my understanding that the Ontario division of the National Farmers Union, designated as an accredited organization under this legislation, was extremely angry that it was not invited to a meeting on June 2 with the ministry to discuss the introduction of the new legislation when the OFA and CFFO were both invited.

This fact alone points out that the NDP government likes to say it consults with all interested parties when it is considering legislation; it may like to consult, but I'm sure it isn't listening to what it's being told, or it likes to consult only those groups or individuals who support its policies and programs. This is not a consultation process; that's a selection process. That's not democracy; that's dictatorship.

Many farmers I have talked to suspect that Bill 42 means the NDP government, has a secret agenda, that it will use this legislation to collect names, addresses and telephone numbers, as well as information related to farm income and operations. They are concerned that they will not have any control over who gets this information or for what purpose. It is used at a time in their lives when freedom of information and protection of privacy appears to be slipping through our hands.

It should be noted that when the standing committee on resources development spent the weeks of August 23 and 30 considering Bill 42, hearings from witnesses and engaging in clause-by-clause discussion, all parties, including the government, presented amendments. The NDP amendments generally dealt with administrative procedures and terminology and all were passed by the NDP-dominated committee.

The major Progressive Conservative technical amendment was to specify a 30-day time limit for agricultural organizations to provide requested refunds. That was voted down on the basis that the bill already contained wording which would generally assure prompt payment without actually specifying a time limit. I heard the minister speak about that today and he assured us that the 30-day time limit would be there. That is what we were looking for.

There were other major amendments that were made, and what we tried to do was to make the legislation better and a little freer. When we look at the problems that there could be, if there are problems with the bill after three years, political pressure will force the minister to conduct a public review.

Following pressure from both our party and the Liberals, the ministry arrived at a full religious exemp-

tion clause which was supported unanimously by the committee. After clause-by-clause discussion and amendments, the entire committee voted for the bill as it was amended.

Even though the government rode to power on the backs of Ontario's farmers, it has tended to ignore their desperate situation. The NDP fails to realize that poverty is just as much a rural issue as it is an urban issue.

We urge the party in government to do things that people request without pressure.

**The regulations:** The minister spoke about the regulations today. We have not seen what's going to be in those regulations and how they are going to be used.

There have been some questions that have been asked with regard to the farm organizations. How is this money going to be spent when you get it? Nobody has answered that question.

I had an interesting conversation today with my son at noonhour. My son is an OFA member. I asked him if he knew about Bill 42. Obviously the answer that he gave me wasn't what I was expecting. He said he did not know anything about it at all. I'm wondering how many other farmers out there who are milking cows daily do not know what's going on with regard to Bill 42. I say to the people in charge, who are responsible, are the people being informed?

I today had the opportunity to have a chat with the president of the Ontario Federation of Agriculture organization, who was not very happy with the legislation. As I said earlier on, there are people who love it and there are people who hate it. Those people are telling me that there is still a concern out there, and when I talked to my son, who is an OFA member, and he knew nothing about Bill 42—some people will say, "Well, he's not keeping up on what's going on."

**Mr Paul Klopp (Huron):** He's not concerned about it.

**Mr McLean:** That's fine. How many people who have taken part in this debate are actually milking cows night and morning and farming who do know what's going on? I say to you, Madam Speaker, there perhaps could be some better cooperation with regard to the groups that are participating to really know what the farmers want.

There's another problem that I have seen and I want to bring it to the attention of this House. The county of Simcoe pays about \$29,000 to the federation of agriculture in that county each year. Is that \$29,000 the county pays going to continue? Are the funds that are going to come in to the OFA going to be part now that are going to go to the county? Are the funds going to come back to that county OFA? I have never read or seen what percentage of the \$150 will come back. I haven't seen it discussed in committee.

I'm raising these issues with you because I think it's important that they be addressed. The minister may have the opportunity to address it in the form of a regulation; that may help. What if the farmers are asked to register with the government without \$150 for the fee?

I want to say that there's some concern, that there has been discussion, that there has been a hidden agenda. I'm not so sure what the hidden agenda is. It was brought to me today by a farmer that the registration of employees to help unionize farm workers may be one of the hidden agendas. When they send out the application to fill in to apply, are there going to be questions on that questionnaire, "How many farm employees do you have?" or what are the questions going to be?

These are some of the questions that have been asked and I think are appropriate to have put on the record, because our part in this legislation, as opposition parties, is—we know when the government brings legislation in, it has the numbers to bring in what it wants. It's our job to try to help make that legislation better. My colleague Noble Villeneuve, our critic for Agriculture, did that. The critics for the Liberal Party tried to do that. We didn't get what we wanted. We felt there would have been more open debate with regard to the form and being reviewed in three years. The minister did not want that to happen. Our job is to try and make it happen.

Then we look at some of the farm tax rebates and you could go on and on in the debate. But I wanted to put some of these things on the record because I believe it's gone on for a long time to get some way for the farm organizations and the ministry to cooperate. I think it's a step in the right direction, but I'm not so sure that we've fully heard the concerns of the people out there.

**The Acting Speaker:** Are there any questions and/or comments? Seeing none, are there any further speakers who wish to participate in the debate?

**Mr Hope:** Thank you, Madam Speaker, and congratulations on the appointment to the high chair, I guess you would call it.

I'm interested in being part of this debate because I've heard some of the rhetoric that has been said across about the NDP. I must say that I've been one of the only ones who have been very vocal on this issue, vocal on the issue because at the outset I'll declare my conflict of interest. My conflict of interest is that I'm opposed to the legislation that is being proposed in Bill 42.

I just want to outline some of the things. We were talking about the agricultural community being well aware of what's going on with Bill 42. Unfortunately, this is cablecast and unfortunately in rural communities the farmers we're talking about do not have access to cable TV, so they don't have the accessibility of watching this debate and understanding what is actually going on.

## 1720

What I must bring out are some of the issues that are brought out in my community. We have letters to the editor that were published. First of all, before I get to the letter to the editor, I've done a positive thing in the community. I brought the issue to the farmers, held a public information about the bill and allowed the members of my community to participate in that debate, whether it was representatives from the OFA, the NFU or the Christians. We also made sure that it was done in a non-political sense, that what we were there to do was to listen to what was going on in the community.

I also referred to a letter that was in the Voice of the People in the Chatham Daily News, one of the fine papers in our community, I must say. This person who wrote in, who is a farmer, an older adult, says it reminds him of the situation in the southern United States in the 1950s and the 1960s when the black population, who were the majority, had the right to register as voters but did not have the right to vote.

"However, after a long and hard struggle, Martin Luther King Jr came to the scene and eventually the black population finally got the right to vote if they had the courage to face the abuse they encountered when trying to exercise that right. The black population at that time were family farmers, farm workers, as are 95% of the Ontario farmers who cannot vote on stable funding, Bill 42. Maybe the Ontario farmers need a Martin Luther King Jr to lead them from possible poverty to democratic rights."

It also goes on to talk about the bureaucracy, the privilege of creating rules and regulations it wishes to do so, which we find in this bill.

One of the things I want to do is highlight specifics of the bill. I want to talk about the preamble that is in with the explanatory note. One of the important parts of it says, "Only a...person, other than someone who has received a waiver from registering, is entitled to benefit from certain programs of or subsidies from the ministry." That means that if farmers are not registered, they will not receive the programs that are there today, and possibly in the future, as we try to deal with the crunch that is facing the farmers in our communities.

I know that in my conversations with the farmers in my communities they're not looking for farm subsidies. What they're looking for is farm-gate pricing, and that's exactly what they're trying to get across in their endeavours, to try to make sure that agriculture has prosperity. If we all reflect and talk about economic renewal in rural Ontario, it was the agricultural community that stimulated and created our small towns, our hamlets and our small cities, creating prosperity that we had and that we are losing because of policies that are created by the federal government. Those policies also are affecting the farmers in my community.

I want to talk about the tribunal process, which is to

hold hearings of accredited farm organizations. In the section in the bill, and I believe it's section 7 which gives the accredited farm organizations title and identity for three years. There is the Christian Farmers Federation of Ontario and also the Ontario Federation of Agriculture. In the section that follows below that it talks about where no review can be done of these farm organizations. Section 8(3) says: "An organization named in section 7 cannot be reviewed during the three years of deemed accreditation."

One of the concerns I've raised in talking to some of the people is about those farm organizations being accredited and having policies that are in violation of the Human Rights Code. Yet they say that the law that is in here is no violation of the Human Rights Code, and I agree with them: There are no violations in this law of the Human Rights Code. But what about the policies of some organization that is accredited that has an issue that is against the Human Rights Code? Where is the ability of those people who wish to join that farm organization to take this before the tribunal? There is no process that allows that, and I know through some conversations that Ian Scott, when he was the Attorney General when the Liberals were trying to figure this stable funding out, had problems with that section also, because it was one that created very difficult situations for people to access the human rights that they deserve.

Also, the issue of payment and return of payment: I've heard the members opposite talk about how the NDP are going to use them to find out how many family farms are out there and how many they can organize and all that good stuff. I want to make it clear that what I've heard from a lot of farmers is that if it's to be a truly voluntary process, then why can't it be a voluntary process at the kitchen table? When they're making the decision, why take the \$150 out of the pockets of the farmers, put it into a farm organization and ask them to turn around again and write a letter? We heard the member opposite talk about being in the fields and milking cows. You're going to have to allow more time for the farmers to make sure they send their forms back in asking for their refund.

I also have a fear that when a person does ask for the refund back, one of those organizations will be at the door of those individuals. If a letter goes to the farm organization asking for a refund, you can guarantee there will be a member of one of those associations who will be at the door asking those members, or potential members, why they wish their money back. We could lead into the possibility of coercion that could be there, of people feeling intimidated in asking for the money back and intimidated in having a representative at their kitchen table, pressuring them into pursuing and joining that membership and leaving that money there. It draws very dear concerns of a lot of farmers about their privileges and rights. That may be why we heard the

call for the vote from the farmers.

I believe in putting in a true prospect of "voluntary." That is to make the farmers and the farm families have the availability of registering with a farm organization voluntarily at the kitchen table, instead of processing a cheque, holding it on their finance books and then waiting for that refund.

The other fear that I have is one of a political nature. What if a farmer or a farm family is not able to get back their money right away? They're going to be calling my office, asking me to intervene, to make sure I can get their 150 bucks back for them. Well, guess what? I have no rights allowing me the opportunity to access that and to act on behalf of my constituents to make sure that money is returned. That is a true fear, because they're going to say: "It's your government that brought the legislation in. It's your responsibility to get my \$150 back." It is a very deep concern of mine, and I wouldn't want to take \$150 out of a farmer's pocket, because I understand the need that's there.

I also question the availability of farm organizations to prove themselves to their membership. I come from the labour movement. With that labour movement background, we had to prove ourselves to our membership. We had to increase their standard of living, we had to improve their benefit programs and we also had to represent their best interests. If we didn't, what they did was to decertify from us. What is not here is allowing the farm organizations to prove themselves to the membership—that is, the farmers out there—that they're worth the \$150 being sent to them. That is a specific concern of a number of the farmers.

The revoking: We heard from members opposite saying that refunds will be done within an appropriate time. I wait to see those times and see what the return is. I heard from the committee too. I was not an acting member on the committee, but I did make myself available, representing my constituents and being there during the hearing process.

I also wanted to focus on the religious aspect. I've heard members opposite. I was able to bring it forward on behalf of the Mennonite community, making this issue well known to it, the tribunal itself, the makeup of the tribunal. One thing we must be very careful of this time—we weren't very careful during the committee, which led into questions from those who made presentations—is about conflict of interest. We found out that members had affiliations to the farm organizations that were in this legislation and there were a number of questions raised by the general public, whether or not it was a conflict of interest.

It was referred to the commissioner for his ruling. But one thing I must make sure of about the tribunal, and I emphasize this to the minister, is let's make sure that those members who make up the tribunal are not affiliated with any farm organization whatsoever and

that they have an independent view of the process to allow the tribunal to work in its most capable way.

The other concern that was brought out about the tribunal having the power to determine whether somebody actually has a religious belief or a really religious cause. One of the farmers who talked to me about it said, "What made the tribunal the almighty God?"

The other thing is that those who are on the tribunal, the parties opposed to the application—people can oppose the application, which is in the legislation, of somebody's right because of religious affiliation.

The information that will be flowed to the ministry—and I must say, there is a part of the legislation that I do agree with. I do agree with allowing this government and any other government that supersedes to have the availability of information to provide for a forum and put policy forward that will represent the best interests of farmers. I think that information will be coming, and I believe even the letter to the editor also indicated that there is wide support for a farm registry to make sure we can implement good policies that represent farmers.

**1730**

A number of things are left to regulation, which leads to a number of concerns that farmers have about the process. The section about the regulations, 32.12, says "respecting criteria for eligibility for special funding." There are some questions about whether that special funding is for any farm organization or whether it's specifically talking about the francophone organizations.

The other part is, how do farmers actually have input into the regulations for developing the criteria that will be used for accreditation of farm organizations? Are we going to let the farm organizations develop the criteria or are the farmers going to have input into the process of developing the criteria that will establish an accredited farm organization?

I must raise those issues that have been brought forward to me by a number of farmers in my community and also throughout this province, because I've heard the rhetoric that has been put forward. Silence was being put forward by the Liberals; silence was being put forward by the Conservatives. I even noticed that my colleague the other day put forward petitions at the plowing match, ballots that were opposed, petitions that were opposed. The member for Grey—you're not supposed to mention his name, Bill Murdoch—I know your neighbour is going to be very interested to find out where you stand. I wonder if she is even going to take care of your cows now, because she's also indicated a ballot of opposition to Bill 42; I'm just curious where your relationship will be and whether your cows are going to be taken care of during this process.

With that, I know that this legislation is expected to be put through the process today and to be receiving third reading. I will allow members opposite to express

their viewpoints, but it is important for me to express mine, that I am opposed to certain sections of the legislation. I believe that if this is to be a truly voluntary process, farmers will have the opportunity to make that truly voluntary process at the kitchen table.

In closing, I hope the minister will refer this to the committee of the whole House and make that amendment that allows the farmers to make that choice at their kitchen table, so that we can develop and put in place policies that will provide for farmers to have farm-gate pricing versus legislation called stable funding.

**The Acting Speaker:** Are there members who wish to comment or have a question?

**Mr Larry O'Connor (Durham-York):** I just wanted to add a couple of points. During the debate, my colleague of course spoke out against it.

I've spoken to a lot of people in my part of rural Ontario. I spoke to them at, for example, the Markham-Stouffville Fair just last weekend. I spoke to them at the plowing match; in fact, one of our pages, Eric Ferguson, who is from my riding, has participated in the plowing matches. It's important that we take a look at rural Ontario. It's important that we have something to allow these farm organizations to promote important elements of farming and make sure that those messages get down here to Queen's Park; that they can actually lobby effectively.

The member said we don't speak often enough and don't let our constituents know. Well, I wrote articles in the newspaper about it to encourage people to respond to me, and I didn't get a lot of negative response.

I think it's important that we do support farmers, and this bill is going to support agriculture as a whole, so I don't agree with my colleague, but I appreciate his point of view just the same.

**The Acting Speaker:** Are there any other members for questions and/or comments? Seeing none, the member for Chatham-Kent has two minutes to respond.

**Mr Hope:** One thing about this place is that we do have a democratic right. We have the right to express our viewpoints, and I compliment my colleague for expressing his. With the limited time, I'll sit down and allow the opportunity for the Liberals to hear the preamble that will go on over there; also the Conservatives.

**The Acting Speaker:** Are there any other members who wish to participate in the debate?

**Mr Eddy:** I appreciate the opportunity to speak very briefly on the bill. I will be voting in favour of the bill. Of course we do have some concerns about agriculture in general and indeed parts of the bill; however, we are in favour. I know we all agree in this House about the importance of the agricultural industry in Ontario, the second most important industry in terms of the value of production, jobs, purchasing power and many of the

other things that have been said. It's important that the agricultural industry be fostered and supported, and I'm very much in favour of that.

It's our hope that following the passage of this bill the government will not download programs and costs to the farm organizations and to farmers. That's a real fear out there and I think is indeed the cause of some people being opposed to the bill.

It's also our hope that the government will not keep reducing OMAF's annual budget, because that is the life-blood of the agricultural industry. The budget has been reduced; I think last year for the first time in many years, if ever, it was reduced, and it has a very serious effect on the agricultural industry.

It is our sincere hope that the government will indeed continue to support and encourage agriculture research and development because of its tremendous importance to agriculture. Every year I have the opportunity to read new crop recommendations and read with great interest the new varieties that have been developed, in grains primarily, to increase production and withstand adverse weather conditions and diseases. That is so important, and the development and production of alternative crops is also essential in Ontario. We have a tremendous variety of crops at the present time, but alternative crops are essential, especially in view of the agricultural decline somewhat of the tobacco-growing industry.

I would certainly urge the government to ensure the continuation of the family farm. I know conditions have changed, that the world has changed, but the family farm is still the backbone of rural and small-town Ontario. The presence of OMAF programs and development of new ones are so important. I assure you that actions such as this are cost-effective to the rural economy, cost-effective for this province, for rural municipalities and rural organizations.

Those points, I hope, will be taken to heart and supported by the Minister of Agriculture and Food and OMAF. I also think there has to be a review following the operation of the provisions of the bill in a few years.

I support and have supported OMAF for a great many years, although I'm not a full-time farmer and haven't been for many, many years. But I do own, operate and reside on one and I keep in touch with my neighbours and I know the importance of their feelings. I hope they would support farm organizations, because we cannot stress too much the importance of a strong voice for agriculture. It reminds me of the strong municipal voice we now have, when the Rural Ontario Municipal Association and the Association of Counties and Regions of Ontario were almost forced through the ministry grant system to amalgamate into one voice, the Association of Municipalities of Ontario. I think municipalities have benefited the ministry and the province and I would hope the same could happen with agriculture, with a strong agricultural voice made up of general farm

organizations.

**The Acting Speaker:** Questions and/or comments?

**Mr Arnott:** I'm pleased to have about two minutes to respond. I had hoped to be able to speak at length on this bill; unfortunately, because of time limitations I won't be able to, but I want to congratulate the member for Brant-Haldimand on his fine speech this afternoon.

1740

I intend to support this bill. During the 1990 election, this question was posed to me: Did I support the concept of stable funding in principle? I said that I did.

Over the course of the last three years, we've seen the stable funding issue giving the government fits from time to time. The minister, I'm sure, would admit that. But we now see a bill that I think all of us agree is probably not absolute perfection but is something that most of us can live with. I want to congratulate the Ontario Federation of Agriculture and the Christian Farmers Federation of Ontario for their input on this.

I know that in the riding of Wellington specifically, the Wellington County Federation of Agriculture does an outstanding job, much of it on a volunteer basis. I want to especially mention George Strachan, who is the OFA director for Wellington, who is outstanding in terms of his advice to me. He's been very helpful over the last three years.

During the course of this debate, we had many questions posed to us as members of the Legislature: Did we support it? Did we have concerns about it? I said at that time, a year ago I suppose, that whatever alternative approaches for stable funding are considered, it is essential that the membership fee be reasonable and affordable, that the organizations be accountable to their membership and that information be available to the members explaining exactly how the money generated through their fees is being spent.

I believe very strongly that those qualifications have to be maintained over the next three years or we're going to be in a situation perhaps where the minister will review the whole program. I think it's important those qualifications be, at all times, at the forefront and we keep those in our minds.

I indicate to you that I do intend to support this bill today, and thank you very much.

**The Acting Speaker:** Are there any other members who wish to participate in questions and/or comments? Seeing none, the member for Brant-Haldimand has two minutes to respond, if he wishes.

**Mr Eddy:** Thank you for the opportunity to respond. The importance of agriculture cannot be overstressed, and along with the importance of agriculture, the importance of farmers and the feeling that they're part of a whole agricultural organization movement to meet with government. Government is much more complex. It's much larger these days, as we know, and in order

for any segment of the province to have a voice, it needs to be organized. I'm sure of that.

I would comment as well on the need for a review of the bill, or also the matter of the need for a type of appeal to the tribunal, because as we know in most other situations where there is a decision-making body, there is an appeal mechanism of some kind. I want to stress the importance of that.

**The Acting Speaker:** Are there any other speakers who wish to participate in the debate?

**Mr Jim Wilson (Simcoe West):** I'm pleased to rise for a very few short minutes to comment on Bill 42, An Act to provide for Farm Registration and Funding for Farm Organizations that provide Education and Analysis of Farming Issues on behalf of Farmers.

I want to indicate from the beginning that I support this legislation in principle. Yes, it's been rather contentious and widely debated legislation. In my area of the province, Simcoe county, there have been a number of concerns expressed to me over the past several months with respect to the contents of this legislation. I tell you that my support is not wholehearted and that I share some of those reservations that I've heard expressed by farmers in Simcoe county.

But I want to make it very clear for the record, as I've made it clear to my constituents in many speeches across the county in the past few months, that I too share the belief, along with many members of this Legislature, that we must have strong general farm organizations in the province of Ontario.

I'm Health critic for the Ontario PC Party and I spend a great deal of time dealing with lobby groups and interest groups. I can tell you that the way politics have gone in this province in the last decade, it's the squeaky wheel that gets the grease here at Queen's Park and we have to have a strong voice for rural Ontario.

I'm tired, as the member for Simcoe West, of having people come up on weekends from the city and dictate to us how we should live our lives in rural Ontario. In fact, I've often said in this House that it seems to me we have people who visit our area on weekends and they want those of us in rural Ontario to live in what I call a perpetual Kodak moment. They don't necessarily want us to farm if there are any odours or pollution that they say are created in that process. They don't necessarily like the noise. They don't want us to develop.

They don't seem to understand that farm incomes are extremely low and declining over the years. Indeed, support by the government to farmers has declined significantly under the NDP government. They like to come up and stare at us on weekends, but they don't want us to do anything to develop the land. We can't do anything to earn a decent living.

We see that with the Sewell commission running around the province. We see that with a lot of the

planning and official plan amendments and official plan processes that are now going on throughout Simcoe county, particularly in New Tecumseth, the southwest portion of Simcoe county that I represent. We see the Ontario Ministry of Agriculture and Food not being the ministry going to bat for farmers. In fact, in my area, we call it the Ontario Ministry of Aggravation and Frustration. It traditionally was the ministry of the government that was there to go to bat for farmers at the cabinet table. I've not seen much of that demonstrated with this government.

However, I do not want to be totally negative. I want to commend the government for having come around to some degree with respect to Bill 42 as compared to the previous Bill 105. I give the credit to our critic, Mr Villeneuve, from eastern Ontario. He worked very hard.

My preference would have been, in a perfect world and a perfect Legislature, to continue a voluntary contribution on behalf of farmers to general farm organizations, but my overriding principle and belief is that we do need a strong voice for rural Ontario. My experience over many years as a political assistant and three years in this Legislature is that the Ontario Federation of Agriculture, and in particular in my local area the Simcoe County Federation of Agriculture, do an excellent job in representing farmers. I think they need the financial support of farmers to ensure they're able to continue to join the massive lineup of lobby groups that we see here at Queen's Park.

I have a couple of concerns. One is with respect to the refundable nature of the fee that will be paid to general farm organizations. I note on page 14 of the minister's remarks this afternoon that he says: "Some farmers fear that the refundable nature of the fees may be arbitrarily revoked by the minister and that they'll wind up paying regardless of how they feel. Let me assure you that this kind of change could only happen under a legislative amendment which would have to be approved by a majority of MPPs."

That speaks to the question of trust. They hold the majority. If the minister really wanted to assure this House that the refundable nature of this legislation would be untouched during its three years before it's up for review, then he would have been more clear in his remarks. We don't have a great deal of trust in the NDP government throughout the province. That's played into this issue. We've heard that expressed by farmers. We've heard it expressed by the member for Simcoe East who talked about the hidden agenda.

I'll tell you that as Health critic I went through this last year, along with other colleagues on this side of the House, when the government moved to unionize the Ontario Medical Association. I find to this day, in travelling to doctors' offices and meeting with physicians, a lot of them don't know they've been unionized.

With respect to a particular section in this act, section

3 says, "The minister may use the information received from farming business registration forms to develop agricultural policies and programs for the ministry, to develop and implement methods of distributing information about the policies and programs, to develop mailing lists and for the prescribed purposes."

I simply want to say in the remaining moment that the government better not use these lists to unionize farmers. If you do that, we will be back at this legislation, we will be back in this Legislature and we will put pressure on the government. I'll tell you, there's a lot left up to the regulations, but there's nothing in the way the bill is written to assure me that there isn't a hidden agenda and to assure me that these lists will be kept confidential and not put in the hands of union organizers. Lists are essential to union organization, and I say to the minister that the regulations better ensure that these lists are confidential and that they are used for the purposes contained in this legislation as has been briefed to members of this Legislature.

Again, I am pleased to support the legislation in principle. I have many other concerns with it. The reality is that the government is going to pass Bill 42—to ensure that it's fair to the farmers of this province. I do agree above all that rural Ontario must be represented in a very strong way here at Queen's Park and I believe the general farm organizations will continue to do that.

**1750**

**The Acting Speaker:** Now we have time for questions and/or comments.

**Mr Klopp:** I too leave my comments very close and short tonight, because the main thing is that we're going to pass stable funding. I've been around this for 10 years; I've been around it for a long time. If anybody thinks it's going to be undemocratic, they've never been to a farm meeting in their life.

This thing is mandatorily refundable. This thing has been studied. I appreciate all parties' comments and I certainly hope they do it tonight. This thing is about a vehicle allowing farmers to get involved. I hope that people get involved. I think of the county federation of agriculture in my county when we did have the levy. That was thought of some 55 years ago. Unfortunately, we let it fade away. This is a new vehicle for the new time.

I think of the farmers who have given their undying support at 2 o'clock in the morning to help fellow colleagues and their neighbours. That's what this bill is about, that they get a bit of their gas paid and whatever for.

I think of three people who come to my mind—and many farmers can think of three in their own minds—who were living proof of this and wanted stable funding. I think of Andy Durand, Bill Mann and a fellow I

got to meet in my life, Joe Murphy from eastern Ontario. Those people were living proof. They could have gone on their own, not worried about their fellow neighbours and said, "I can do my own lobbying," but they said they wanted to be together. That's what this bill is about.

This is a vehicle. It will only be as good as the farmers who make it good, but I have great faith in the farm community, that it will make this vehicle work for the community. It's not just lobbying government; it's Union Gas or anybody who wants to go through your property. It's a chance for farmers to work with farmers, to have strength for the betterment of all the community. That's what this is all about.

I know that the big moments are when we go and lobby government on this or I get lobbied on that. It isn't a dirty word. This is going to be good for the farm community. Let's get it done tonight. It's been too long.

**The Acting Speaker:** Are there further members who wish to participate for questions and/or comments?

**Mrs Sullivan:** The member, in his remarks, spoke of the prospect or fear of the possibility of union organization through the New Democratic government, I suppose, using the list of members or registered farmers under the bill. That is not my concern, I must say. However, I am concerned that the regulations be circulated for comment and consideration by those who are affected by them and, furthermore, that those lists, the mailing lists, are not used by and are not sold by the government to those people who market products or equipment to the farmers. This is a targeted mailing list, you will understand, and of great value. We are seeing the information contained on drivers' licences being sold as a revenue-raising vehicle for the province. I would like to have an assurance from the minister that the information on these mailing lists will not be circulated to raise dollars for the provincial treasury.

**The Acting Speaker:** Any further members?

**Mr Leo Jordan (Lanark-Renfrew):** Again, I just want to take a few minutes to first of all congratulate the minister on his ability to regroup and bring this bill back in as Bill 42. I know that when Bill 105 was introduced to the Legislature I really believed at that time that the whole issue was lost and that it wouldn't be possible to come back again with another bill, because the people I had talked to were so disillusioned with what they saw at that time that they had a real concern.

I not only congratulate the Minister of Agriculture and Food for bringing this bill back as Bill 42, but I congratulate our colleague the member for S-D-G & East Grenville, who I know has worked very closely with the minister and has perhaps been as responsible in many ways for putting this legislation together in a manner that's acceptable to, hopefully, what will turn

out to be the majority of the farm organizations.

I know that in my riding there's a definite division in how people accept that, but a lot of that is that they just do not want more regulation; they do not want more government. That is really what's bothering them. They're not really seeing the benefits of having the bill and having the organization, first of all getting registration and knowing who our farmers are and how many there are. Do we have 40,000 farmers or do we have 70,000 farmers? As a result of this registration, the Minister of Agriculture and Food will know that. He can devise programs and policies that hopefully will make agriculture more beneficial in my riding and across Ontario.

**The Acting Speaker:** We have the opportunity for one more question and/or comment.

**Mr Bill Murdoch (Grey-Owen Sound):** In the short time that we have, and I know we're hurried for time here, I want to congratulate the member for Simcoe West on what he said in the short time that he had to speak. He was right on with a lot of the things he mentioned to the government.

I too have supported this bill—I supported it last time when I campaigned—and I think most of the people in my riding support it. There are some in my riding who don't. I think a lot of it's been that they just don't understand the bill. We had trouble with the first bill that came in here. That made a lot of trouble, but I think that now it's been understood and I think that it'll be up to all the members here who support this bill to get out to the people to let them understand it.

I'd like to thank too the OFA and the Christian Farmers for coming here today. I have many of them in my riding, and I know the OFA in my riding has supported this bill all along.

One of the things I am concerned about and I've talked to the minister about is the registration form they'll have to sign. I've been shown a draft of it. If it's like that, there'll be no problem. But I must caution the minister, if there is a problem with this, I'll be one of the first to stand up here and say so. I think he knows that. We don't want a long, drawn-out application form for farmers to have to fill out. If it's no worse than the registration form we fill out now for our farm tax rebate, it won't be too bad. I understand where we need the government to have a handle on the registration of farmers.

People always talk too that you're forced into that. We're not forced into this. They can get their money back. I think they've come a long way with this bill. There were some concerns at first, but I think it shows that if the government does work with the opposition, we can get a bill that we can all support.

I think that's one of the major things that happened here this time. For over three years the government

hasn't listened to this side; this time they have, and we've come up with something that we all can support. I think that's one of the major lessons.

**The Acting Speaker:** Now the member for Simcoe West may respond, if he wishes.

**Mr Jim Wilson:** Because of the time, I will not respond.

**The Acting Speaker:** Are there any other members who wish to participate in the debate? If not, the minister.

**Hon Mr Buchanan:** I want to thank very quickly all the members who have spoken and expressed their views. This is a very important day for agriculture. It's a celebration of agriculture, as far as I'm concerned. It's nice to have a day in this House when we talk about agriculture and rural issues, and I welcome all the comments that were made here today.

I also want to thank my parliamentary assistants, who have worked very hard on this bill as well, and the farm organizations that have worked with us. We started meeting on this issue, I think it was, in December 1990. We had monthly meetings with the farm organizations. We've talked about this, we've consulted, we've compromised, we've changed and we've adapted, and I think we have a bill that may not be perfect but that we can certainly live with. I look forward to its implementation.

I think that with that I will stop and thank everyone for their support in this bill.

**The Acting Speaker:** The Minister of Agriculture and Food has moved third reading of Bill 42, An Act to provide for Farm Registration and Funding for Farm Organizations that provide Education and Analysis of Farming Issues on behalf of Farmers. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed to the motion will please say "nay."

In my opinion, the ayes have it. I declare the motion carried.

Resolved that the bill do now pass and be entitled as in the motion.

**Interjection:** Recorded vote.

**Hon Frances Lankin (Minister of Economic Development and Trade):** Then 12 people stand.

**Mr Robert W. Runciman (Leeds-Grenville):** On a point of order, Madam Speaker: You had already declared the motion passed.

**The Acting Speaker:** The bill has now passed.

Being that it is six of the clock, this House stands adjourned until 10 o'clock tomorrow morning.

The House adjourned at 1802.



## CONTENTS

Wednesday 6 October 1993

<b>MEMBERS' STATEMENTS</b>	
<b>Northern library services</b>	
Mr Ramsay .....	3277
<b>Orillia Jazz Festival</b>	
Mr McLean .....	3277
<b>Violence in Bosnia-Hercegovina</b>	
Mrs Mathyssen .....	3277
<b>Paramedic services</b>	
Mrs O'Neill .....	3277
<b>WCB premiums</b>	
Mrs Witmer .....	3278
<b>Jobs Ontario Capital</b>	
Ms Murdock .....	3278
<b>Leader of the third party</b>	
Mrs Caplan .....	3278
<b>Eva's Place</b>	
Mr Turnbull .....	3279
<b>Nora McCullough</b>	
Mr Fletcher .....	3279
 <b>STATEMENTS BY THE MINISTRY AND RESPONSES</b>	
<b>Earthquake in India</b>	
Ms Ziembra .....	3279
Mr McClelland .....	3280
Mr Curling .....	3280
Mr Cousens .....	3280
 <b>ORAL QUESTIONS</b>	
<b>Cancer treatment</b>	
Mr Elston .....	3281
Mrs Grier .....	3281
<b>Blood products facility</b>	
Mr Elston .....	3282
Mrs Grier .....	3282, 3285
Mr Harris .....	3285
 <b>New WCB headquarters</b>	
Mr Harris .....	3283
Mr Mackenzie .....	3283
<b>Leader of the third party</b>	
Mr Bradley .....	3284
Mr Laughren .....	3284
<b>Workplace Health and Safety Agency</b>	
Mrs Witmer .....	3284
Mr Mackenzie .....	3284
<b>Pickering airport land</b>	
Mr Wiseman .....	3286
Mr Hampton .....	3286
Mr O'Connor .....	3288
Ms Gigantes .....	3289
<b>Benefits for older workers</b>	
Mr Brown .....	3287
Mr Mackenzie .....	3287, 3288
Mr Mahoney .....	3287
<b>Property assessment</b>	
Mr David Johnson .....	3288
Mr Philip .....	3288
<b>Plant closure</b>	
Mr Cleary .....	3289
Mr Buchanan .....	3289
<b>Social contract</b>	
Mr Jim Wilson .....	3290
Mrs Grier .....	3290
 <b>PETITIONS</b>	
<b>Casino gambling</b>	
Mr Bradley .....	3291
<b>Expenditure control</b>	
Mr Cousens .....	3291
<b>Pickering airport land</b>	
Mr O'Connor .....	3291
Mr Wiseman .....	3293
 <b>Long-term care</b>	
Mrs Sullivan .....	3291
<b>St Gregory Separate School</b>	
Mr Stockwell .....	3292
<b>Gambling</b>	
Mr Malkowski .....	3292
<b>Home care</b>	
Mrs Sullivan .....	3292
<b>Closure of liquor store</b>	
Mr Owens .....	3292
<b>Violence in Bosnia-Hercegovina</b>	
Mrs Mathyssen .....	3292
<b>Health care</b>	
Mrs Fawcett .....	3293
<b>Ontario Film Review Board</b>	
Mr Stockwell .....	3293

### THIRD READINGS

<b>Farm Registration and Farm Organizations Funding Act, 1993, Bill 42, Mr Buchanan</b>	
Mr Buchanan	3293, 3297, 3307, 3316
Mr Conway .....	3296
Mr Villeneuve .....	3296, 3304
Mr Cleary .....	3297
Mrs Fawcett .....	3299
Mrs Sullivan .....	3306, 3315
Mr Arnott .....	3307, 3313
Mr Eddy .....	3307, 3312, 3313
Mr McLean .....	3308
Mr Hope .....	3310, 3312
Mr O'Connor .....	3312
Mr Wilson .....	3314
Mr Klopp .....	3315
Mr Jordan .....	3315
Ms Murdock .....	3316

## TABLE DES MATIÈRES

Mercredi 6 octobre 1993

<b>TROISIÈME LECTURE</b>	
<b>Loi de 1993 sur l'inscription des entreprises agricoles et le financement des organismes agricoles, projet de loi 42, M. Buchanan .....</b>	3293

CAZON  
XI  
- D23

Common  
Citation

No. 66



Nº 66

ISSN 1180-2987

## Legislative Assembly of Ontario

Third Session, 35th Parliament

## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Thursday 7 October 1993

# Journal des débats (Hansard)

Jeudi 7 octobre 1993

Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers



### **Hansard on your computer**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. Sent as part of the television signal on the Ontario parliamentary channel, they are received by a special decoder and converted into data that your PC can store. Using any DOS-based word processing program, you can retrieve the documents and search, print or save them. By using specific fonts and point sizes, you can replicate the formally printed version. For a brochure describing the service, call 416-325-3942.

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

### **Subscriptions**

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Lists of members**

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month. A list arranged by riding and including ministerial responsibilities appears on subsequent Mondays.

### **Le Journal des débats sur votre ordinateur**

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Ces documents, télédiffusés par la Chaîne parlementaire de l'Ontario, sont captés par un décodeur particulier et convertis en données que votre ordinateur pourra stocker. En vous servant de n'importe quel logiciel de traitement de texte basé sur le système d'exploitation à disque (DOS), vous pourrez récupérer les documents et y faire une recherche de mots, les imprimer ou les sauvegarder. L'utilisation de fontes et points de caractères convenables vous permettra reproduire la version imprimée officielle. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

### **Renseignements sur l'Index**

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

### **Abonnements**

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.

### **Listes des député(e)s**

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et dans le numéro du premier lundi de chaque mois. Par contre, une liste des circonscriptions inscrites dans un ordre alphabétique et comprenant les responsabilités ministérielles paraît tous les lundis suivants.

Thursday 7 October 1993

The House met at 1000.

Prayers.

**PRIVATE MEMBERS' PUBLIC BUSINESS**  
**LAND CONSERVANCY CORPORATIONS ACT, 1993**

**LOI DE 1993 SUR LES SOCIÉTÉS  
DE PROTECTION DES TERRES**

Mrs Mathyssen moved second reading of the following bill:

Bill 92, An Act respecting Land Conservancy Corporations / Projet de loi 92, Loi concernant les sociétés de protection des terres.

**The Acting Speaker (Mr Noble Villeneuve):** Mrs Mathyssen has moved a private member's resolution, and pursuant to standing order 96(c) the honourable member has 10 minutes to make her presentation. Following the completion of Mrs Mathyssen's presentation, every recognized party within the Legislature will have 15 minutes to participate in the debate.

**Mrs Irene Mathyssen (Middlesex):** The planning, consultation and preparation of the bill standing in my name, the Land Conservancy Corporations Act, 1993, is one of which I am very proud. I would like to thank Ian McKay of West Nissouri township and Greg Johnston of London for the idea for this legislation.

In the late fall of 1990, Mr McKay and Mr Johnston came to my office to discuss the possibility of a private member's bill providing for land conservancies. Since that time, they have been most encouraging and supportive. Mr Johnston has given generously of his time and provided much valuable information.

I would also like to thank legislative counsel and my legislative assistant, Nancy Armstrong. Without their long hours of work, diligence to the task and valued advice, I would not have been able to bring this most important bill before the House.

I'd like to begin at the beginning, with the reasons for the need for the Land Conservancy Corporations Act.

Many years ago, the American humorist Will Rogers responded to a question about investment with the advice: "Invest in land, because they aren't making it any more." I believe Mr Rogers was talking about monetary investment for financial gain, but his remarks regarding the finite nature of land were directly to the point. Our precious wildlife habitats, natural areas, wetland, woodlands and farm lands are limited. Often, because of the pressure of urban growth and poor planning practices, they are in danger.

For several decades, land use issues have been a significant part of the environmental concerns voiced in every part of North America. Whether it be an old-growth forest in British Columbia, a wildlife habitat in

the state of Washington, a wetland preserve in Ontario or the agricultural land that sustains us all, there have been pressures for development and economic activity that threaten the continued existence of these essential areas.

From the moment that the Europeans began to settle on this continent, the land was seen as something to be conquered, parcelled out, sold and exploited. In my own riding, the richness of the agricultural land has been its strength and its downfall. Because the soil is fertile, it was farmed quite successfully and produced an abundance of food. This abundance contributed to the establishment and growth of a large urban centre. The continued growth of that urban centre and smaller towns and villages across the riding has resulted in urban sprawl. Development after development have claimed the very agricultural land that is needed to ensure the food security upon which every urban centre depends. The dilemma is a very real one for the people of Middlesex, and it exists in every part of southern Ontario.

Protecting agricultural land from competing and incompatible land use has been the focus of much concern. In 1978, Ontario released the Food Land Guidelines; in 1986, discussions were held to review the food land preservation policy statement. At that time, a number of serious difficulties were found to exist, and they still exist; namely, the agricultural community faces a constant and often heroic battle to make a living in the face of low commodity prices and high input costs.

In the urban shadow, the competition for residential, commercial, industrial and institutional land is enormous. Of course, Mr Speaker, as you well know, Ontario's best agricultural lands are primarily located in the areas of heaviest population. This is a dilemma we can only resolve through wiser land use and preservation.

In response to this issue of land use and protection of land, a number of land conservancy groups, or land trusts, if you will, have organized over the past several years with the object of placing significant lands under the protection of these voluntary citizens groups. It is my intention to provide, through this act, the instruments whereby charitable land conservancy groups can, once they are designated by the Minister of Culture, Tourism and Recreation as land conservancy corporations, receive and enforce a registered easement or covenant against real property in perpetuity. I believe it will be a significant and positive step forward for the environmental community in Ontario in its efforts to preserve fragile natural places and precious agricultural lands in this province.

Currently, only the Ontario Heritage Foundation and municipalities can enter into legal agreements with private land owners to preserve property. But the reality is that governments simply cannot do it all. Provincial and municipal resources are limited. Unfortunately, at the present time any community group wishing to conserve land resources is compelled to purchase the land in question.

An example of such a conservancy group comes from my own riding. Several trusts have joined to protect a parcel called Jeremiah's field. However, because of the prohibitive cost of assembling parcels of land, such an investment is well beyond the financial resources of most conservancy groups.

I'd like to briefly go through my bill to explain its parts and illustrate how this conservancy will work.

#### 1010

Section 1 of the bill provides the necessary definitions for the purposes of this act.

Section 2 establishes the process whereby a corporation may apply in writing to the Minister of Culture, Tourism and Recreation to incorporate as a land conservancy corporation without share capital under part III of the Corporations Act or part II of the Canada Corporations Act. As a charitable corporation, the conservancy may preserve, protect, conserve, maintain, restore and improve all or any part of the significant lands under its care. "Significant lands" include natural, scenic, agricultural land, and lands valued for silviculture, woodlands, wetlands, wildlife habitats or other types of lands as designated by regulation under this act by the Lieutenant Governor in Council.

The land conservancy corporation would then be able to receive easements and covenants from land owners. Easements and covenants pertain, as you know, to rights to do or not to do certain things on a piece of land. They can be positive and entail stewardship functions, or negative and carry restrictions on development rights. Easements and covenants are flexible arrangements designed to accommodate the unique needs of the various lands involved. Easements are written with a full analysis of the land in question and consist of stewardship plans involving a detailed application of the easement or covenant which is regularly reviewed by the land conservancy corporation.

All or part of the land is held in trust for the benefit of the community, the greater public good, and future generations. The land owner continues to own the land and will be entitled to pass it to heirs or sell it. However, the protection of the unique features of the property or its use as farm land remains unchanged in perpetuity. The conservancy has the obligation to enforce this protection, and the registration on the title of the property obligates the present and future owners to uphold the preservation, maintenance and improvement requirements of the easements and covenants.

Section 6 of the bill provides for the possible revocation of land conservancy designations. If, for whatever reason, this should occur, the minister would receive the easements and covenants on behalf of the crown and could convey them to another land conservancy corporation. This will prevent any attempt to use conservation easements in any improper or unintended way. Each land conservancy is required to keep public records of its dealings and to make these records available for inspection by the minister or minister's agent.

Section 12 of Bill 92 sets out the regulations to be prescribed by the Lieutenant Governor in Council in regard to significant lands, prescribing applications, reports, fees and forms, and the establishment and maintenance of a register of land conservancy corporations.

Finally, it is necessary to amend six Ontario statutes to facilitate this bill. Consequential amendments are required in the case of the Conveyancing and Law of Property Act, the Land Titles Act, the Municipal Tax Sales Act, and the Registry Act. Changes to the Land Transfer Tax Act will exempt the property conveyed to the conservancy from land transfer tax, and amendments to the Planning Act will exempt the land from the subdivisions control and part-lot provisions of the Planning Act.

In closing, I would like to impress upon all honourable members of this House the importance of this legislation. Land conservancies face significant statutory barriers in Ontario. Because they are not recognized by law, they are unable to do the vital work of preservation. This then could be our gift to future generations, if we here today can find the will to provide land conservancies with the ability to incorporate as private, non-profit corporations with charitable objects so they can enter into legal agreements with land owners to protect our heritage lands. We can provide a vehicle that will encourage community partnerships, foster long-term planning and enhance social and economic security.

At the outset, I said I would begin my remarks at the beginning. With the support of the members of this Legislative Assembly, the beginning for the kind of land stewardship that will have unquestioned meaning and value for future children is here and now in our hands.

**The Acting Speaker:** I wish to thank the honourable member for Middlesex and remind her that she will have two minutes in response once all parties in the Legislature have had the opportunity to participate. The honourable member for Algoma-Manitoulin.

**Mr Michael A. Brown (Algoma-Manitoulin):** I'm pleased to be able to participate in the debate today also, and I would like to commend the member for Middlesex for bringing forward this bill, Bill 92. I think it permits another tool to be used in land management in the province of Ontario to aid in protecting areas that need to be protected, and that is an important goal.

However, I will say at the outset that we support this bill, but we support it with the proviso that it go to committee and we have the ability to hear public deputations concerning this bill, because much of this bill, as the member who presented it would know, is reasonably complicated and also has a large regulatory component, but we don't see the regulations. We, on this side of the House, would like to see a more comprehensive package and the ability for other people to comment, because some of the side-effects might well not be known.

We look at what it might do to tax bases. If this bill does what this government has a history of doing, that is, downloading costs to the municipalities, which could occur here if the land in question actually has its assessment value diminished, the municipal taxpayer will at least to some degree pay for the cost of having this conservancy. Maybe that's legitimate. I just want to hear about that, and I'm sure that many people across the province would also like to do that.

Preserving our wetlands, our woodlands and other important features, our agricultural land, is important to all Ontarians, and I repeat that we think the member has done a great service in bringing this forward. I have some concerns that it is subject to the Minister of Culture, Tourism and Recreation rather than to the Minister of Natural Resources or the Minister of Environment and Energy, and perhaps when the member replies she can indicate to us why that choice was made.

I would, however, wonder if the member has spoken to the various ministers of this government, to the people in the executive council, because the attack on wetlands, on conservation lands and preservation lands by this government over the last few years has been incredible.

I would like to bring to her attention the situation, for example, in the conservation authorities. Ontarians would know that because of the cancellation of the conservation land tax rebate program, conservation authorities are being forced to sell important land, some of which was donated by conservancy groups, in order to pay their municipal taxes. That program was introduced in 1986 by the former Liberal government which provided to conservation authorities and other Ontarians interested in preserving land in the use it is in today. It seems to me that a government like that would have no part in cancelling this rebate program, but that is exactly what this government is doing: It is attacking the local taxpayer; it is attacking the conservation lands. In my view, it is unconscionable.

The member talks about woodlands. This government has also cancelled the managed forest tax rebate. I don't know if people understand what kind of problem that has caused to the woodlands of the province of Ontario. Unlike agriculture, woodlands are being treated totally differently. It is no longer an incentive program of the

province of Ontario to deal with the proper management of woodlots. No longer do you get some share of your property tax rebated by the province of Ontario for preserving your woodlot, for managing it in a proper way.

When you take those two tax rebates that have been taken away by this government over a very brief period, we find it a little incomprehensible that the member is putting forward a bill that will help a little bit, but the damage that has been created by the government which she supports on a daily basis has been huge in these very same areas.

#### 1020

The member may not appreciate that, and I will go back to the point and say we do like this as one of the tools, but people should understand that what's happening here is that a charitable organization or non-profit organization is buying an easement from people. We're not sure on this side that the purchase of an easement will occur in a large number of cases. We think it's a valuable tool, but we're not sure how widespread that tool and application will be.

I have chatted with a number of the groups interested in land conservancy and they support the principle of this bill, and as Liberals we believe this should be a good bill over time to provide some protection for the lands of Ontario, but again I have to reiterate my own problem. My problem is that the government as a whole is doing exactly the opposite. I would urge the member and the people over there in the NDP government to have a chat with the Minister of Natural Resources and a chat with the Minister of Municipal Affairs and ask them why public policy appears to be moving in two completely different directions simultaneously.

With those reservations, I will reiterate our support and hope that this bill is referred to committee for full public hearings so that we can understand all the ramifications and so that the members of the Legislature, as they will in committee, can fine-tune this bill to make sure that what comes out of it is what the member intends.

**Mr Allan K. McLean (Simcoe East):** I welcome the opportunity to provide some comments on Bill 92, An Act respecting Land Conservancy Corporations. The member for Middlesex indicates that the purpose of her bill is to promote the conservation and protection of significant lands in Ontario by providing new rights and exemptions in favour of land conservancy corporations.

This bill amends the Land Transfer Tax Act, the Planning Act, the Conveyancing and Law of Property Act, the Land Titles Act, the Municipal Sales Tax Act and the Registry Act, quite a major accomplishment in one minor bill.

Bill 92 defines "land conservancy corporation" and "significant lands" and deals with the designation of a

corporation as a land conservancy corporation and the relocation of the designation.

It authorizes the grant of easements to land conservancy corporations for the preservation, protection, conservation, maintenance, restoration or improvement of significant lands in Ontario even if the land conservancy corporations do not own land capable of being accommodated by the easements.

That is the essence of what this bill is all about. It authorizes owners of significant lands to enter into conveyance with land conservancy corporations for any of the above purposes, and this bill deals with the registration assignment duration, modification and discharge of the easements and conveyance.

It's rather ironic that this bill, which is supposed to be aimed at promoting the conservation and protection of significant lands in Ontario, comes from a member of a government that has gone out of its way to weaken the long-standing partnership between the provincial government and one of the key players in the natural resources preservation and environmental management, that is, the Ontario conservation authorities.

I trust you will agree that I am in a unique position to comment on this matter, having spent 16 years with the Nottawasaga Valley Conservation Authority and serving two years as its chairman. I am well aware of the importance of conservation authorities and the key role they play in the conservation, preservation, protection, maintenance, restoration and improvement of some very significant lands in the province of Ontario.

Since their formation in 1946, our conservation authorities have witnessed at first hand many of the serious problems that exist as a result of the way the responsibilities for natural resources and the environmental management are currently structured.

Today those conservation authorities are swimming against the current as they struggle to work through the maze of resource management agencies in order to find a logical method to ensure that the resources of our watersheds can be effectively managed and enhanced. The conservation authorities of Ontario have warned that the fiscal constraint of recent years has left all resource management agencies struggling to fulfil their mandates and obligations in resource management and environmental protection.

Provincial funding announced earlier this year will make it impossible for resource management agencies to continue to provide even the current level of resource management. I would suggest that the fundamental problem that exists in resource management today is not financial constraint; it is the current body of legislation, agency structures and mandates that do not recognize the concept of ecosystem-based management.

I suspect the chaos created by the overlapping mandate of the ministries of Natural Resources, Envi-

ronment and Energy, Agriculture and Food, and Municipal Affairs and municipalities is evident to everyone. In fact, the conservation authorities of Ontario are on record as saying this situation has evolved over time as the provincial government reacted to specific problems with specific solutions. This issue-by-issue approach results in a situation that, when viewed from an ecosystem perspective, borders on the ludicrous.

The member for Middlesex appears to overlook or ignore the role of the Nature Conservancy of Canada and the role it played in purchasing thousands of acres of land in the Minesing Swamp, elsewhere in Ontario. Who does she think pays the taxes on the land like that? It's the conservation authorities that do—the very authorities that have to pay the taxes, the very ones the government wanted to cut off.

What about Ducks Unlimited, and the major landholdings it has; preservation of our watersheds? What about the anglers and conservation clubs such as the Orillia club, that has what we call the Langman reserve, where they have the wetlands preserved? What about the conservation club that has its Christmas tree program, growing trees on it? These clubs are volunteer clubs. It doesn't cost the government one red cent.

Perhaps the member might consider withdrawing her bill and convince her NDP colleagues to instead take a serious look at A Blueprint for Success: Restructuring Resource Management in Ontario. That document was released in May 1993. The conservation authorities of Ontario indicate that society can no longer afford to maintain the current institutional arrangements that promote inefficient resource management. That's the conservation authorities' program. That's the book called A Blueprint for Success. Resource management must be planned and implemented on a watershed basis.

I remember a government not long ago that wanted to amalgamate a lot of the conservation authorities. It was called the Ballinger report. They were going to have larger areas under one jurisdiction. I was pleased to see that that report was not followed through, because many of the conservation authorities I have dealt with wanted it left the same as it was. However, they're in a bind now because of the problem of funding.

The member for Middlesex knows that she can count on support for her bill from her colleagues, and it will pass because there are more members on the government benches than there are on this side. If that should occur, then I would urge her to send the bill to a standing committee of the Legislature for public hearings. It's the very least she could do to ensure that it receives the proper scrutiny of municipalities, individual members of the public, conservation authorities, land trust corporations, farmers and environmental groups. They would love to have some input into this legislation. I often wondered if she'd talked to the Tree Growers Association of Northern Ontario with regard to

what its input would be on a bill such as this.

What happened to the woodlot management rebate program that was put in place? Is it still effective? Is it part of this bill? Are you going to withdraw any portion of that rebate program? Forest management tax rebates, conservation tax rebates: Are you saying you no longer want to fund these types of programs that have been put in place years ago?

I hope you and the people involved in helping to prepare your bill, Mr McKay and Mr Johnston—you indicated the input they had—take a broad look and initiate having this bill sent to committee so that all these groups will have full input into this type of legislation.

1030

**Ms Margaret H. Harrington (Niagara Falls):** First, I would like to commend the member for Middlesex for bringing this issue forward. It is very timely. Land trusts in fact are a century-old idea, that land is a sacred trust. We, as a society, are called in a very fundamental way to be stewards of the land. We are now struggling to deal with forces and abuses from the past which have eroded our rural communities, degraded agricultural lands and forests, and even created such things as the wind tunnel at Bay Street and Wellesley.

Land can be exploited; we all know that. Land trusts remove land from the marketplace forces and put it aside for very valuable things such as farming, wildlife habitat, forestry, recreation and even urban housing. Land trusts protect specific pieces of land and also serve to educate the community, the broader public, about the importance of protection.

We in Niagara feel the pressures of change probably in a very significant way compared to the rest of the province. We are a major transportation corridor from the US border, of course, to bring goods into and out of Canada, through the tender fruit lands of Niagara. Individuals and groups are very much concerned about the land. They're concerned in three different ways, and I'd like to explain these to you: first, the degradation of natural resources present there; second, the destruction of the nature and character of communities; and third, the degradation of fragile agricultural lands.

First of all, let's talk about the Niagara Escarpment. It was recognized recently, in the last few years, by the United Nations as being of world significance. The Niagara Escarpment Commission was set up during the 1970s, I believe, in order to protect this natural resource. Over the decades, quarrying had taken place all through the Niagara Escarpment, that is, from the Niagara River up to Tobermory. What has also happened is landfilling into those quarrying spaces, and of course the pressures of targeted urban development along the escarpment.

Second, I'd like to talk about the unique character.

For instance, in Niagara we have the very special town of Niagara-on-the-Lake. There are many other beautiful spots across the province which deserve preservation, and that heritage is so important to our economy by way of tourism, certainly, but also to our quality of life.

Third, and most important, are the unique agricultural lands of Niagara. We're talking about tender fruit; we're talking about vineyards. The pressures have been so great. I think of west St Catharines, the urban-rural boundary, and how the pressures during the 1970s forced the expansion of that into the vineyards. There is a group in west St Catharines and across the peninsula called PALS, the Preservation of Agricultural Lands Society. They believe, and it's so obviously true, that once agricultural land is paved over, there is no way to get it back into agriculture.

One other example of a land trust that I want to bring to your attention is the Toronto Islands. I happened to be there on August 2, a wonderful summer day, when we were celebrating the end of 35 years of controversy and fight over the future of that community there. If you walked through that community, it was a wonderful experience. There were tiny houses, there were marvellous flower gardens and there were no cars. It is certainly a community worth preserving.

I also want to tell you that probably the most important example of land preservation and the oldest one in all of Ontario is the Niagara Parks Commission. I don't know whether any of you have read the book by Pierre Berton about the history of Niagara. He details what happened there. This is more than a century ago, all through the 1800s up to about 1870. This is what it was like:

"On the American side of the river, every viewpoint was fenced in by greedy entrepreneurs so that there was no place from which the great cataract could be seen without payment." He goes on to tell about what a husband, a wife and their two daughters paid for one day to see the natural sites. It goes on to list 14 different fees that were paid, adding up to \$37. In today's costs that would be \$530. I thought this was interesting; he says here that they were persuaded to spend this sum by "a plausible, fair-spoken knave who got 25% of every fee." That is what happens, and certainly it can continue to happen today.

I don't have a lot of time left, but I do want to say that the Niagara Parks Commission was set up in 1880 and was opened with much fanfare. The difference that made to Niagara, to its preservation for the last century and a half, is well documented in this book and certainly very obvious when you come to see the beauty of Niagara now.

Thank you very much, Mr Speaker, and thank you to the member for Middlesex.

**Mr Bernard Grandmaître (Ottawa East):** I agree

with the member for Niagara Falls that Bill 92 is all about land preservation. I fully agree also with the bill to conserve our lands. I think every member of this House is interested in protecting and conserving our wetlands, woodlands and, mostly, agricultural lands.

I find it a little odd this morning that the member for Middlesex would introduce such an important bill, because she was dearly involved in what I call the largest land grab of the province of Ontario when the government approved the expansion of London-Middlesex. Some 80,000 acres of agricultural lands were grabbed by this government to permit the city of London to expand its commercial and industrial capacities. This is what the city of London had been asking for for 10 or 15 years. I know she fought very hard, and I congratulate her for having done so. She wanted to protect the people and she wanted the land grab to be honest, open and reflect the needs of people in London.

Today, we are looking at a very important bill that should go to a committee so that we can hear all the interest groups that pushed the member for Middlesex to introduce such a bill. I believe in it, but at the same time I would like to hear more from these groups, for the simple reason that we have conservation authorities with a lot of powers, and these powers have been increased in the last five or six years to permit conservation authorities to do more work in protecting lands.

I want to remind you that at the same time we're talking about protecting and conserving land, there is a commission in the province of Ontario called the John Sewell commission that is looking at land uses—very, very important—and planning as well in the province. This is not the first time a commission has been appointed to look at planning in the province and also to find better ways of protecting our lands.

I'm just wondering if the member—maybe she can respond to me in her two minutes—has consulted the Association of Municipalities of Ontario on this very important bill. Are municipalities in favour of this kind of approach? Also, have you consulted with the John Sewell commission? As you know, the final report was tabled, and I think Mr Sewell brings to this House a lot of good thoughts, a lot of good points that should be addressed.

Again, I would like to see this bill go before a committee so that all parties involved, for or against, are listened to and have an opportunity to fully explain the bill. But I will say that I agree with the bill in principle and I will support it if it goes to a committee.

The member from Niagara talked about the NEC, the Niagara Escarpment Commission. I can recall that when I was Minister of Municipal Affairs, I had a great deal to do with the NEC, which I respect even today. Since the 1970s, the NEC has tried to do a reasonably good job, I would say, but you can't satisfy everybody. By introducing another bill today that would complicate all

our planning and land use issues, I think this bill deserves to be scrutinized a little more closely, and this is why I want to see it before a committee.

1040

**Mr Derek Fletcher (Guelph):** I'm very pleased to be able to rise in support of the member for Middlesex. The Land Conservancy Act holds considerable interest for the people in the land trust movement, who have been working on this issue for several years. Some of those people are constituents of mine who have been working out of the Centre for Land and Water Stewardship at the University of Guelph. Professor Stewart Hilts and Peter Mitchell have provided significant input into the discussion of the revision of the Heritage Act. They've also brought together people from all levels of government and the community in workshops designed to bring attention to issues that are crucial in allowing these instruments of land conservancy to become operational.

This private member's bill seeks to support and bring attention to the urgency of addressing specific barriers that land conservancy groups are experiencing before they can even get on with their work.

The one thing that needs to be clarified at the outset is that this debate does not pit environmentalists against the developers. It is not about unfettered development versus absolute protection. It's about measuring development in qualitative terms that enhance the security and the wellbeing of entire communities; terms that seek to conserve, in its true sense, to keep from harm, especially for later use, those natural resources that communities are dependent upon for water, food, affordable housing and sustainable economic activities. The key is community control by individuals who are intimately acquainted with the land and committed to its preservation and maintenance.

It's not difficult to see where the impetus for this movement is coming from. Private land owners and community groups are coming together to address specific problems regarding the use of land in their communities: unmanageable real estate costs, degradation of fragile or agricultural lands, pollution and depletion of ground water reserves, loss of wildlife habitats, and destructive changes to the nature and character of a particular community.

There is an urgency felt by people in these communities to promote the benefits of land stewardship responsibilities and obligations in order to provide long-term security to future generations. It should also be stressed that among those who share these concerns are developers and real estate agents themselves, who also recognize the need for affordable land.

The land conservancy corporations are not being promoted as the panacea to the world's environmental crisis. They do not let governments and industry off the hook, but they do offer the possibility for ordinary

citizens to participate actively in preserving the character of their communities.

Land trusts can do a number of things. They can provide public education about the value of protective activities. They can disseminate information through workshops and newsletters about protection techniques. They can inform private land owners of the biophysical significance of the site of which their property is part. They can provide directories of land owner services based on environmentally responsible operations; for example, woodlot management, tree planting, stream enhancement or erosion control.

I believe that this work deserves our support and that the land conservancy organizations should be given the authority they require in order to increase the protection of significant lands. They can act as recipients for donated properties and negotiate conservation easements and covenants.

As I said earlier, I'm very pleased to be able to stand here and support my colleague the member for Middlesex.

**Mr Gordon Mills (Durham East):** I'm glad to stand in my place this morning and speak briefly in support of the private member's bill as presented by my colleague the member for Middlesex. I think she should be commended. This has been suggested as one of the most important, gripping private members' bills that has come before this Legislature; it's that important.

**Mr David Ramsay (Timiskaming):** Gripping?

**Mr Mills:** Gripping, yes. It really speaks to the matter. I want to talk now, since I have some knowledge of the movement in England, about what happened over there, not proposing or suggesting that I lived in the 1700s, though some of my colleagues may comment about that. It's interesting to note that in feudal times the common lands were regarded in England as the property of the lord of the manor, who claimed the right of enclosure.

**Ms Sharon Murdock (Sudbury):** Not the lady of the manor?

**Mr Mills:** No, the lord. They weren't enlightened. The lord was the great master over there.

Between 1700 and 1845, it's estimated that seven million acres in the beautiful English countryside were converted from tilled fields, open lands, meadow and commons into private holdings across the English counties. I think that figure is absolutely astounding. If you go to England now, there are moves afoot, trusts, to protect common areas, the commons where people can even this day tether their cattle. I know the gypsy folks over there look to common land to use for grazing their horses and cattle. The English experience, which has extended over seven centuries, in my opinion well illustrates the practical difficulties and the social disruption attending such a large-scale rearrangement of

landholding and property rights.

The hands of the government of the day were not clean. These changes have been authorized—

1050

**Mr Robert V. Callahan (Brampton South):** Are you talking about your own government?

**Mr Mills:** No. I could talk about your government at length, but this is private members' time—Mr Speaker, I'm talking through you—and I try very hard to speak to the issues and not inject any partisan comments into this, although it's difficult for the member for whatever.

Anyway, these changes were authorized in England under numerous private acts of Parliament. They were usually initiated by the lords of the manor and these high-profile owners who seemed to have control. Enclosure commissioners were appointed to scrutinize the claim, redistribute land and grant compensation. All this had a tremendous impact across England during the 18th and 19th centuries. Now we have the National Trust which has come into being over there, and it's trying to reverse some of these inequities that happened over the last couple or three hundred years.

Private individuals and community groups in Canada and, more importantly, in the province of Ontario are coming together more to address problems regarding the use of land in their communities. We see this every day as members in our own ridings where people come to us about real estate costs, the degradation of fragile or agricultural lands and natural resources and the destructive changes to the nature and character of a community.

In my own riding of Durham East we have an ongoing battle now with a claim to turn a wetland into some sort of cement hole, which my people are very much opposed to. I would like to give credit to the Minister of Natural Resources who is demanding that this incident be thoroughly investigated.

We're running out of time; I've got only a few seconds left.

**Mr Ramsay:** Thank goodness.

**Mr Mills:** You say what? Thank goodness? I don't.

Thank you for this opportunity to talk. Again, I want to commend my colleague for what I consider this very important piece of private legislation and I urge all members to support it.

**Mr Ramsay:** I also will stand in my place today and very briefly give my support to this bill. It's nice to see, in private members' hour especially, that members are supporting institutions such as conservancy associations and groups.

I had a bit of experience with seeing a conservancy land preservation project when I was travelling with my

family in Nova Scotia. One day we were driving west on the Digby Spit, which comes from the nice city of Digby where all the great scallops come from. To get right to the end of that spit, you also take little ferries to two islands at the end. The last island is Brier Island. It's a very popular place for people to go and see the whales coming up the east coast of the United States and in the spring coming into the Bay of Fundy. You're sort of halfway out by being on the spit.

A conservancy group in Nova Scotia purchased a lot of the land on Brier Island, so basically what's left are a few homes in a hamlet, where you can get bed-and-breakfast accommodation. Most of that island has been set aside for just that non-consumptive, recreational activity that more and more of us today are involved in.

It's a system that works very well. It harnesses private sector dollars towards conservation and environmental protection. That's a good idea, because as we know and certainly this government has discovered, governments can't do it all today. In fact, we will have to do less and less. Legislation such as this that is permissive, that allows groups to set aside land for non-consumptive recreational activity is a very good idea. It's healthy for the environment and it's very good for tourism.

I applaud the member for bringing forward this bill, and I think she will find that most members in the House will support it today.

**The Acting Speaker:** Further debate? Seeing none, the honourable member for Middlesex has two minutes in response.

**Mrs Mathyssen:** I've got a lot of ground to cover, so I'll try to get right to it.

I would like to thank the member for Algoma-Manitoulin for his support. I would like to assure you that there has indeed been extensive consultation. I myself consulted with ministries of the crown, Culture, Tourism and Recreation, Agriculture and Food, Environment and Energy, Consumer and Commercial Relations, and Municipal Affairs, and extensively with land trust, the legal community, Ronald Reid. I know that Culture, Tourism and Recreation has consulted quite, quite extensively over the past few years in regard to heritage properties with business, the development industry, labour, municipalities, the ethnocultural community, Ontario naturalists; it's been a very wide, extensive consultation, and I'm very proud of that.

In reference to the costs to municipalities in terms of taxes, I would draw the member's attention to a document entitled The Economic Benefits of Open Space, by Stephen Miller, and point out that Mr Miller says:

"In studies of this kind conducted by American Farm Land Trust, every municipality received more from open space than it had to give back in services and in taxes. The magnitude of difference between the revenues and

costs was substantial in all cases. Open space pays an average of three and a half times as much as it costs in terms of taxes."

There's a very important and significant argument for trusts.

I chose the Ministry of Culture, Tourism and Recreation because that minister administers the Ontario Heritage Act. I would like to point out that this government is the first to put in place the instruments of province-wide land use planning, and the purpose of the Sewell commission was to address the very long-time, questionable and inappropriate land use that's been at work in this province and to resolve those issues.

I'd like to point out to the member for Simcoe West that my bill is not a minor bill. It does address a number of Ontario statutes because it didn't exist before those statutes will be affected. I also point out to the member that the Minister of Natural Resources is currently working with the conservation authorities to help them do the important work they need. I've talked with my local authorities and the progress has been very good; they've had very good dialogue.

I thank the member for Ottawa West, who was the Minister of Municipal Affairs, for remembering that I opposed the London-Middlesex Act. I would also like to remind him that the current Minister of Municipal Affairs just this June put in place a regulation that will compel the city of London to protect agricultural land and do extensive planning before it can proceed.

I thank the member for Timiskaming and my colleagues for their very kind support.

**The Acting Speaker:** This completes the time allotted for ballot item number 25, the second reading of Bill 92 brought forth by Mrs Mathyssen. It will be further dealt with at 12 noon.

#### HEALTH INSURANCE AMENDMENT ACT, 1993

#### LOI DE 1993 MODIFIANT LA LOI SUR L'ASSURANCE-SANTÉ

Mr Morin moved second reading of the following bill:

Bill 44, An Act to amend the Health Insurance Act / Projet de loi 44, Loi modifiant la Loi sur l'assurance-santé.

**The Acting Speaker (Mr Noble Villeneuve):** The honourable member has 10 minutes to initiate debate, after which time every recognized party in the Legislature will have 15 minutes in total, maximum, to debate the bill.

**Mr Gilles E. Morin (Carleton East):** We're discussing today the issue of health cards. Much has been said and written about this topic lately. It has been studied, analysed and debated by a number of health care specialists and professionals. What is increasingly clear, however, is that our health care system is not functioning in an effective, cost-efficient way, and this

is well illustrated by the management of Ontario's health cards.

You may recall that a family-based registration system was set up in 1968. In 1986, the former Liberal cabinet approved the move to an individual-based system which was set in motion in 1990. Ontario was by then the last province in Canada to set up an individual-based system in which each eligible individual received a health insurance number for life.

This change was introduced as a first step towards the reform of our health care system. One of its main objectives was, of course, to ensure greater control over the fraudulent and unintentional abuse of health benefits by Ontario residents and non-residents. But most importantly, we believed that a well-organized and accurate registration system would be extremely efficient and would allow for the better use of public funds.

1100

It would be highly unrealistic to expect such an extensive project to be implemented in a short time without any adjustments. Obviously, adjustments have been necessary. Nevertheless, there is no question that the move to an individual-based registration system was necessary and is a positive step in the organization and administration of our health care system. It is no doubt for these reasons and for many other ones that the issue of health cards attracts so much attention and raises so much interest.

Health costs account for about one third of government expenses. We cannot afford inadequate controls and procedures, poor registration practices and an inaccurate database. Taxpayers are correct in their expectations of sound policies and careful planning of limited resources.

Out of concern with the health costs associated with the use of OHIP cards, I introduced in June the private member's bill we are presently debating. Bill 44 proposes a new health card, complete with photo identification and an expiry date. This new card would also contain the cardholder's sex and date of birth, along with the present requirements of name, signature and health insurance number. There is no question that a new health card is necessary. The current card does not meet all of the needs of the health care system, does not provide for regular updates of information and is much too easy to reproduce.

My bill requires that citizens register every four years in order to receive a card. The requirement to provide a photograph will also make it more difficult to obtain a card fraudulently, as the individual will have to present himself or herself in person with supporting pieces of identification. Bill 44 also takes into consideration the situation of individuals who cannot provide, mainly for medical reasons, a photograph of themselves.

The registration process which would accompany the

issuance of a new health card will allow the Ministry of Health to weed out the ineligible holders of cards, estimated to number in the thousands. The inability to determine the exact number of ineligible cardholders, coupled with the ministry's own admission that fraud costs the province anywhere between \$20 million and \$100 million, clearly demonstrates the need for a more accurate and better-monitored database.

The introduction of a new health card will help clear up this confusion while improving the delivery of health care. It simply makes more sense for the government to eliminate fraud and wasteful expenses instead of attacking medical services and essential programs. We must start by improving the accuracy of the database and ensuring that only those people entitled to health services receive them. This is a vital point. A proper registration process will determine the successful result of many Ministry of Health projects.

Efficient long-term planning is only possible with the proper tools and the correct information. This is why an expiry date is so important. It allows the regular update of essential information such as the change of address, which is said to be the cause of the highest inaccuracy of the database. This has been confirmed by many sources, including the Deputy Minister of Health, who says it's "a real problem." The administration of OHIP, as it currently stands, contains no renewal process to allow the updating of information. The ministry can only hope that people will advise it of changes of address.

In this regard, Bill 44 shares the responsibility of the proper management of the OHIP system with the citizens of Ontario. It is based upon the notion that our health care system is a collective responsibility and that, as such, we must all play a role in using it wisely and protecting it against improper use. If we choose to disregard our responsibility, we will all pay the cost in terms of low-quality health care and restricted access to health services.

Under Bill 44, the responsibility for registration and renewal of the card will rest ultimately upon each citizen. A person will never lose his or her entitlement to health services, yet failure to register may mean that a person will be left holding an expired card. No one will be refused health services in Ontario, but we must drive home the fact that access to health care is not to be taken for granted. We all go through the hassle of renewing our driver's licence, yet no one has ever seriously suggested that it isn't worth it. I believe that our health system is worth the same fraction of our time.

Some of my colleagues may be aware that the province of Quebec introduced last October a photo health card. The intention behind this initiative was to tighten control over who is or is not eligible to receive health services. What impressed me was the rapidity with

which the issue was dealt: A problem was identified; there was a consensus among the population that something needed to be done; all political parties agreed; a decision was taken and implemented.

By early 1993, some 355,000 registration forms had been mailed out. After three months and two reminder notices, about 60,000 persons had still not responded. This means that 60,000 cards were not issued; 60,000 health cards were not in circulation that would have been otherwise and incurring expenses.

By August 1993, a total of 1.411 million registration forms were mailed out since the introduction of the photo card. Presently, 123,731 persons possess an expired card. These persons have not been issued a new card even though many of them may be entitled to it. In my view, these numbers are significant. The point is that by now 123,731 new cards are not in circulation. This represents important savings.

According to a poll conducted in Quebec in January 1993, 92% of the participants found the process easy. A properly completed form allows one to receive the new card in about 20 days. The feeling is that public funds are better spent. This is a good example of what can be accomplished when the political will exists.

The issue of privacy and confidentiality immediately raises its head. Are we moving towards some kind of new identification card much like the social insurance number has become? The answer is no. Ontario has passed legislation which prohibits the collection of an OHIP number for any purpose other than medical. A photo health card would not—and I state this emphatically—become a general ID card. A major concern of many in the field of health care is ensuring that while the efficiency of the system is improved, this does not occur at the expense of individual privacy. The protection of the confidentiality of personal information is and should continue to be an ongoing priority.

I know this bill can be improved and it should be. We don't want to rush anything, yet we also shouldn't wait any longer before tackling this complex and urgent problem.

**The Acting Speaker:** The honourable member will have two minutes later in the debate to respond. Further debate.

**Mr Jim Wilson (Simcoe West):** I appreciate the opportunity to rise for a few short minutes and to express some concerns with respect to Bill 44, An Act to amend the Health Insurance Act.

May I say at the beginning that I know the Liberal member who is proposing this bill means well in terms of trying to fix a very badly flawed system that was brought in in 1990 by the Liberal government at that time. The Liberal Party—and we've seen this time and time again, whether it be taxes or other areas of credibility in government—is bolder than brass, as my

mother used to call us when we were little kids. They get up and, by proposing a bill, they're trying to persuade the people out there in Ontario that their system wasn't so bad and that they're now going to be responsible and try and bring some credibility back to an issue. The people of Ontario know that the Liberals have no credibility when it comes to the health card system.

They brought in a system in 1990 in a hurried fashion prior to the snap election called by Mr Peterson. They had no upfront verification. You simply sent in these blank forms. We have a quote from the *Globe and Mail* on June 4, 1990, that says, "A dog and cat have been officially registered as human beings in the province of Ontario and have received identification cards entitling them to health insurance benefits under a program designed to eliminate fraud in the health care system."

We have Elinor Caplan, the former Liberal Health minister, saying on June 4, 1990, "This re-registration, which is the largest in North America, was specifically designed to provide speedy assignment of new health numbers to all Ontario residents without causing concern about continued coverage." Good goal. She goes on to say, "We are bringing in the appropriate measures to ensure that fraud is minimized, that people have the numbers they need and that the new system will be in place."

#### 1110

We had last week the Minister of Health, now the NDP minister Ruth Grier, being very frank with this chamber and admitting in response to a question from myself that indeed there were no upfront verification measures or plans put in place when the Liberals brought in the red and white health card system.

It's no coincidence it's a red and white health card system. It's no coincidence that bureaucrats were told to rush out these cards in the six months prior to the calling of the snap election, because the Liberals did nothing about health care reform. Elinor Caplan got up in this House time and time again and simply said she was concerned every time one of our colleagues brought forward some very serious problems in the health care system as the health care crisis began to brew under the Liberal administration in this province. All the minister of that day and that government, and many of them are here today—

**Mr Gordon Mills (Durham East):** He's obsessed with health cards.

**The Acting Speaker:** Order, please.

**Mr Jim Wilson:** —all they could simply say is they were concerned.

To convince the people, in a cynical way and a cynical plan, that they were doing something about health care reform, they rush out these cards, tell the bureaucrats, "You've got six months before we call this

snap election," and the people of Ontario get these red and white health cards in their pocket as quickly as possible before the election is called, to give the impression that the Liberals were doing something about health care reform.

I give some credit to the NDP. They are doing something about health care reform. It's long overdue and they're doing a number of measures; some we agree with, some we don't agree with. The Liberals did nothing in their five years except put out this cynical plan to bring in cards.

My leader, Mr Mike Harris, in Hansard on June 5, 1990, was absolutely right when he said, referring to the Liberal Health minister, "Maybe she just wanted to spend \$30 million and get a nice letter out from herself before an election and make a contact with everybody."

In fact, the rumours were rife at that time, and they continue to be rife, that because this red and white health card system did nothing to improve the system at OHIP—and I'll discuss that in a moment—with respect to health card numbers, absolutely nothing, the suggestion is that the Liberals simply wanted a campaign list, a list of the people of Ontario, a registration list so they could conduct the 1990 campaign in a cynical way.

I want to talk about one of the problems specifically with Bill 44. I have met, as has the Liberal critic, with officials from Montreal who are introducing photo health cards. We met with the parliamentary assistant to the minister on two occasions in the last three weeks. They indicate that they are able to bring in photo ID health cards in that province because they have a higher degree of confidence in their database.

The problem with bringing in photo ID right now—and the NDP is grappling with this problem, and I understand that a decision will shortly be taken by the cabinet on this issue—is that we have such a flawed database over there at OHIP. Because your dog and cat and parrot could register, what's to prevent somebody, for instance an American resident—and through the committees we've identified several who have health cards who come here regularly to receive health care and don't pay taxes—or somebody who has either a fraudulent card or a card that doesn't belong to them from lining up and now getting their picture put on it?

The database is so bad that if you've got a fraudulent card, you're simply going to line up and get your picture taken. That will make the fraudulent card even more legitimate in the eyes of the people in the health care community administering this. We know we have hundreds of millions of dollars of fraud in the health care system. The deputy minister tried last February to make up a figure of \$20 million. We had him back in committee three weeks ago and he's now up to \$24 million, possibly \$100 million, \$200 million.

The government's most recent published report says

there's \$256 million of health care fraud that we know of. Our estimates and the government's previous report—I admit, in worst-case scenarios—bring that figure up to \$697 million, and close to \$1 billion in the case of one report. That is the extent of the problem.

I don't think photo ID is the solution. When people have fishing cards, hunting cards and welfare cards and numbers and files—the government has just spent \$72.5 million on a new drug card system and computer system—I think we have to start looking at, rather than this proliferation of seven or eight plastic cards that seniors and other individuals in this province are carrying around in their purses and wallets, coordinating all this plastic out there, all these numbers, all these databases which are rife. If you're a lawyer and have ever hired a private eye, you can get information out of all these current databases.

I say we need to look at a government-wide access card for services that the people of Ontario are entitled to receive and that are paid for by the government of Ontario. We need to look at that. Since 1986, Management Board has been looking at a government-wide smart card; we managed to get that out in committee.

My own health advisory group that advises the PC Party with respect to health matters has some very high former officials of health care on that group. They tell me it's a fight among fiefdoms, that Management Board can't seem to advance what appears to be good idea in terms of a government-wide card because Health has been a holdout and Community and Social Services has been a holdout. Different deputy ministers have argued over the years, under this government and the previous government, that they needed their own card system in their own ministries. Well, enough of that nonsense. There's enough money being wasted. All of these systems are open to fraud.

We've discussed with the private sector the technology that's available there, and my great fear is that if we move ahead with photo ID cards now, it will cost \$50 million to \$100 million. It's an interim measure. It cost \$30 million to bring in the red and white health cards in the first place, a very flawed system, as all the people of Ontario are well aware. To move ahead with photo ID now with such a flawed database is not the way to go. It may be a \$50-million to \$100-million waste of money.

However, to end my section of this debate, I say that I will support this legislation because at least it's a private member's bill and it does at least send a signal on behalf of the now-repentant Liberal Party that it is willing to cooperate to try and fix the fraud and abuse that's going on in the system now.

On that note, I will support this bill in principle.

**Mr Paul Wessenger (Simcoe Centre):** I had not really intended to be here this morning to speak on this

bill, so I will be somewhat more scattered in my discussion of the bill. I just want to deal with some of the items that I have some concern about, but I'd like to first of all compliment Gilles Morin, the member for Carleton East, for bringing this bill forward. I think he's done a great deal of work on the matter, and it does address a problem with respect to the perceptions concerning our health card system here in Ontario.

I'd like to deal with the whole question of alleged fraud being a major problem. The reality is that no one knows to what extent fraud is a major problem. There's no information really available or that can be determined to be available about the extent of the problem.

I myself am one of these persons who has a high degree of scepticism with respect to the level of fraud. I'm sure there is some in some of the border communities, but that's something we really have to determine: To what extent is fraud a problem? There's no question that there are other problems with respect to the use of health cards, and that is perhaps the overuse of medical services, the duplication of use. Maybe many of these areas that people consider fraud are really related to the whole question of what I'd call inappropriate use of health cards rather than fraudulent use of health cards. That's the first thing I'd like to say.

It's been said that the province of Quebec has a great database. I just met, along with the member for Simcoe West, with a delegation from the province of Quebec, with their health officials. They indicated they had no idea to what extent there was a fraud problem in the province of Quebec, so even in spite of their supposedly much better database, they have no concept of the extent to which fraud is a problem in their system, and the only way they will, hopefully, be able to get a better handle on that will be after the introduction of their photo ID card. That's the first item I'd like to deal with.

The second item I'd like to deal with is that I think we all agree that the original system that was brought in was very loose with respect to the whole question of registration. It was too easy to register; it was just an invitation for duplicate cards to be issued and for a creation of a major problem. But I think we've made a great stride with respect to correcting that problem.

The allegation was made initially that we have so many health cards floating out there that are fraudulent, but if you look at the facts, the fact is that the number of health cards actually issued today in Ontario is slightly less than the total population of Ontario. If you look at that aspect, how can you say there is a massive number of fraudulent cards out there? There are obviously some, but it certainly destroys the claim that there is a massive number of fraudulent cards floating around.

1120

Third, with respect to the effectiveness of an approach trying to tighten up the system, we've already taken action to tighten up new registrations. I think the

next step, which is dealt with in Bill 44 and which I commend the member for, is to tighten up the whole question of re-registration. I think this probably is the best way to clean up the problem: the whole re-registration process. Again, discussing the matter with health officials from the province of Quebec, their opinion was that the most effective way of dealing with the cards that were inappropriately issued was re-registration. That is certainly a very good item of the bill.

With respect to the photograph, I think that is where the concerns were raised with many members who sat on the public accounts committee and heard evidence about the photograph system. Certainly the photograph system makes it easier for the provider to catch obvious cases of fraud, very simple-minded fraudulent people, shall we say, but it certainly doesn't protect against the person who is dedicated to commit a fraud. I don't think any system will ever cover the situation of somebody who has the forethought to go out and try to defraud the system. You'll always have people who will find some way to get around the system, but we want to tighten it as much as possible.

The concern I have about the photograph is the fact that in the province of Quebec the cost of the photograph system is imposed upon the consumer. The cost is approximately \$10 to \$12 per photograph. When you look at that in terms of the impact on Ontario, with a population of over 10 million persons, that's a situation where over a period of time—obviously, no government would ever bring in a program that would all happen in a short time frame—a cost of perhaps \$40 million would either be imposed on the treasury of Ontario or on the citizens of Ontario.

That is something I think we have to look at more carefully. We have to look at it on a cost-benefit basis to determine if that is the most appropriate way to deal with the question of trying to reduce the element of fraud. The signature aspect is probably a good idea. I don't see any problem with that.

I'd like to end by saying that I will be supporting the member for Carleton East's bill. I think it deserves support because it does attempt to deal with the problem. I think we all agree in principle that we want to have a more effective health registration system here in this province.

**Mr D. James Henderson (Etobicoke-Humber):** The most compelling reasons for proceeding now with this bill are set out in the Provincial Auditor's report of 1992. According to the auditor, the ministry relied on inaccurate and incomplete OHIP information to verify eligibility, had not developed a formal process to ensure that registration information was updated for address changes and deaths, and had registered as many as almost a third of a million more people than were estimated by Statistics Canada to live in Ontario; that is a third of a million shadow, non-existent, deceased,

visitors and other kinds of non-Ontarians.

A nearly 200-page leaked ministry report highlights some of the ensuing problems. Hospitals and health care providers have no way of determining the validity of an Ontario health card, creating a potential loss of almost one third of \$1 billion in fraud, almost \$50 million of loss in health care abuse and over \$150 million of loss in claims that would more appropriately be attributed to the federal government. Over a quarter of the information in the OHIP database is wrong, and almost half a million cards are in circulation that shouldn't be, to a potential cost of almost \$70 million per year.

This leaked ministry report recommends a system less vulnerable to fraud and abuse and a health care card with a photograph and expiry date and electronic scanning of these cards.

To be fair, the ministry has tried to respond to these problems and has agreed with the Ontario Medical Association to introduce a new health card to try to correct these difficulties. But all this is to be announced by the end of December, while taxpayers' dollars are eaten up in fraudulent and other kinds of inappropriate claims.

We need to proceed now. In fact, there are two main reasons to act now: the problem and the solution. The problem is multimillion-dollar losses to the Ministry of Health in fraud, which is continuing while the problem goes unchecked. The solution is an excellent piece of legislation brought forward by the member for Carleton East that would go a long way towards correcting these difficulties.

The bill brought forward by the member for Carleton East will establish a new health card which will include a photograph of the insured person, an expiry date, and of course the insured person's name, sex, date of birth and health insurance number. This bill will establish a much more rigorous identification process to establish the eligibility of patients for care under the plan. It will allow for the regular updating of important information. The photograph and expiry date will help care providers establish the validity of the card. It will be very difficult indeed for someone to use another person's card.

This bill will correct the problem of health card fraud, or at least go a long way towards doing so. No one will be permitted a card who is not legally entitled to be in Canada, making his or her home in Ontario, and living in the province for over six months a year.

This bill is timely, accurate and very appropriate. In the current economic climate, we can ill afford multi-million-dollar fraud and waste. The system that the member for Carleton East proposes will require minimum maintenance and will maintain an accurate database. We cannot wait any longer for health care fraud to be corrected in Ontario. The ministry has promised to announce something or other by the end of December.

It is simply not soon enough.

The member for Carleton East is to be commended for seizing the initiative in this matter. I am fully in support and will be happy to vote in favour of his bill, and I urge my legislative colleagues to do the same.

**Mr Allan K. McLean (Simcoe East):** I'm pleased to have this chance to provide some comments with regard to private member's Bill 44, an Act to amend the Health Insurance Act.

With this bill, the member for Carleton East is attempting to apply greater restrictions on the issue and use of health card identification by:

- issuing photographic health insurance identification cards that would expire four years after they were issued;

- ensuring that only residents of Ontario are issued renewed or replaced cards by applying in person to the Health ministry's general manager and signing them immediately;

- allowing parents to apply on behalf of their children under the age of 15 and authorized people to apply on behalf of persons with a disability, illness or infirmity or who have difficulty in expressing their wishes;

- requiring people to notify the general manager if there is a change of information and requiring the return of the card if the person ceases to be a resident of Ontario or if the person is no longer determined to be insured;

- requiring written notification by an executor, administrator or relative of the death of an insured person and requiring the return of the card;

- imposing confidentiality on people in possession of information collected from those applying for, renewing or replacing a health insurance identification card;

- creating offences for making a false signature on a card permitting the use of a card by someone else, using another person's card and altering a card.

I assure the member for Carleton East that I support this bill in principle. I honestly believe legislation that would place greater restrictions on the issue and use of health insurance identification cards should be coming from the Minister of Health, who is clearly responsible for the increased fraudulent use of health cards.

The health card program was introduced by the former government in 1989. This system, which replaced the Ontario health insurance plan numbers, was supposed to curb the amount of abuse of the system by assigning a number to each individual for life. This was supposed to help identify duplication and ineligible cardholders.

The former NDP Health minister admitted under intense questioning from my PC caucus colleague the member for Simcoe West that her government had

issued approximately 400,000 more cards than there were Ontario residents. These unaccounted-for cards could cost our health system millions of dollars through fraudulent use. It has been estimated that for every 700 unaccounted-for cards, \$1 million could be charged to the health care system, and that could amount to more than \$428 million annually.

1130

The current Health minister claims she will introduce measures which will include: a health card with a picture and personal information such as birthdate and gender; so-called swipe reader technology, capable of reading information encoded on the card's magnetic strip, installed in about 100 hospitals in the next two years; requiring proof of identity before replacing cards; a computer link to cancel a health card automatically when a cardholder dies.

There have to be things put in place which would do that, so I welcome these proposed security features and the changes that are being proposed. But I am still concerned that the cards could be used fraudulently because the Health minister is hesitant to prosecute those found to be using the health card fraudulently.

Our party has suggested that as an additional check the minister should implement a system in which all patients sign for treatment and receive a periodic statement showing the medical services that have been charged on their OHIP card. That could be much in the form of a credit card bill; when you go to the physician and get a bill, you would have a copy of it, the doctor would have a copy of it and he would send a copy to OHIP for replacement.

As well, the Health minister should enlist the assistance of banks and credit card companies in the private sector with expertise in eliminating fraud in the systems that use access cards.

There are still many checks and balances to be added to the health cards we have. What has been proposed here today is one step of what we're trying to do. I compliment the member for bringing this bill forward. I believe that the government should initiate some further steps.

When I get somebody coming into my constituency office with a health card that has been issued for the drug plan to the spouse of an individual, a person has been dead for two years, I'm telling you, there's something badly wrong with the system when those things are happening. What the member is trying to do here this morning is to try to stop that. I compliment him for bringing this piece of legislation forward.

I remember when David Reville said in the House: "A ministry official said that sorting cardholders into human and non-human groups could not be done at this time because summer holidays are coming. I'm wondering if the minister will assure us that this is not the

much-ballyhooed better system we have been hearing about." That was Mr Reville when he was sitting here in opposition who mentioned something about the health card. I don't hear him saying much about it today. I hope the minister will support this bill. It would be in the right direction.

**Mr Robert Frankford (Scarborough East):** I very much welcome the chance to participate in this debate. I've listened with great interest to the comments. I appreciate the calm and rational contribution of the member for Simcoe West, much of which I agree with.

Normally, I'm a member of the standing committee on public accounts, and we have been looking at health cards. I think the record of that committee is very helpful, but I don't see that the member proposing this bill refers to the experience in that committee, because it has been very useful having witnesses come.

One of my impressions from that committee is that we are dealing with accountability. The question of fraud is always mentioned, but no one knows, and this is because we have a poorly accountable system; we do not know much about the losses there.

We also know very little about clinical accountability, which to me is of vast importance. This is never mentioned. I have never heard this mentioned in any of the contributions today, but we need to manage people's health. That's surprising to people, maybe, but we are not just a transfer agency; we are concerned with the health of populations. To me, this does require a registration system, so to that extent I totally agree that we need a registration system.

But why do we need cards? We maybe need cards because we are stuck with a fee-for-service system, but let me remind people that there is increasing criticism of a fee-for-service system, which more and more is being said is inappropriate for primary health care in particular. I hear people saying in good faith that everyone must sign, but what do we do with the people who have not registered themselves, the vulnerable? What about street people? I don't hear anything from the members opposite about what you do about street people, vulnerable people, who are permanent residents of this province. They are discounted, and that is really quite shameful.

Let me get back a little bit to the history. I've enjoyed doing some research on this bill. To quote from Elinor Caplan, June 4, 1990, "It would be virtually impossible to detect cases of intentional fraud without some kind of process such as the passport-like application process, and even there we know that where there is intentional fraud, that is very difficult to control." She's quite right, so why aren't we looking at alternatives?

There is indeed an alternative, which I think has been started to be discussed in the public accounts commit-

tee. I listened with interest to the member for Simcoe West, who has attended that committee, starting to realize that there may be alternatives. It seems to me that the alternative is a primary care registration system. I have introduced into the public accounts committee a very useful article written by Drs Rosser and Forster of the universities of Toronto and Ottawa respectively, and this makes a cogent case for a primary care registration system which brings about a card-free approach, which is what you have in Britain.

Before I hear any sneers, Britain has a much cheaper system, popular, widely distributed, accessible primary care all over the country, which we should be introducing here. It would get away from the discounted problems of street people and native people and others. I haven't heard any suggestion about what happens to those people without cards when their non-cards expire. What is supposed to happen to them? They will get sick; they actually have a higher risk of getting sick.

We need some serious rethinking on this. I'm really surprised at the lack of understanding, the assumption that this bill in any way addresses real problems of clinical care throughout the province. Illness, I would remind people, is not like deciding to get your hair cut. It is something which strikes unpredictably, anything from the child falling in the school yard—whatever. Because we have been persuaded that it's all cold visits to physicians' offices, we decide that's what it's all about and we get bills like this which do not address the real problem. I certainly intend to vote against this bill. If it passes, I hope it remains in the public accounts committee, but there is a lot more work to be done on this than this bill suggests.

1140

**Mr Tim Murphy (St George-St David):** Let me start by congratulating the member for Carleton East, who has done, I think, a fabulous job in introducing this bill; arguing for it for many, many months now. Hopefully, we can get some action on this issue. He's a stubborn and resourceful man and has done a great job getting the bit between his teeth and moving this forward.

I want to spend a little bit of my time talking about the comments from the member for Simcoe West, who actually belongs to the progressive amnesia party as opposed to the Conservative Party, I think. Those family cards, which were reformed by the red and white cards, were first introduced in 1968, and by the time the red and white cards were introduced there were 26 million registrants in that system.

There are 22 years in there in which the Conservative Party was the government and did nothing, absolutely nothing, about reforming that system. The Liberal government came in and said, "We need to reform this, we need to get this under control," and quite rightly introduced the red and white cards. To her credit, the

then Minister of Health said we would not have done anything differently but introduce the red and white cards. What we really are faced with is a choice between some action to get the system into a sense of accountability, as the member for Scarborough East said, which both the NDP and the Liberal Party have said is what they tried to do with the red and white, and the other option is complete inaction, which is what the Conservative Party did. I guess there was some kind of conversion on the road to Damascus for the member for Simcoe West, but that can happen.

I do want to compliment the member for Simcoe East. As he knows, some of his constituents include my parents, and I think his calm, rational and very analytical comments are a tribute to him and his constituents, including my parents. Also, it's interesting when you think about who was the predecessor to the member for Simcoe West. It was George McCague. I'm not sure everyone remembers him, but he was a fine and wonderful fellow, a fabulous person, and I think at one point he may have been Chair of Management Board, responsible for the administration of public funds to a certain degree in this province. Think, then, about 26 million registrants in the health card system. The member's predecessor in his very seat could have taken up this cudgel but chose not to. I guess maybe the member for Simcoe West is trying to atone for those sins now.

What is proposed here I think is a good first step. There are some things we can look at. Maybe we can use the current photo process for drivers' licence for some people to reduce the administrative costs.

**Mr Frankford:** What about street people?

**Mr Murphy:** The member for Scarborough East talks about street people. I appreciate the comment, because I'll tell you, the member for Carleton East was absolutely clear that no one would be refused treatment for lack of having a card. It would not be that difficult to have forms in emergency wards and clinics, which are the primary areas in which street people, for example, have access to health care; not through doctors' offices. I don't think it would be that difficult a system. It may not be perfect, but there are ways to get at it.

I am concerned about the government's agreement with the Ontario Medical Association to remove the version code, because I think that is one of the controls on the abuse of the system that is important to have and the elimination of it is a real problem.

Finally, I think we should look at the potential for some smart card technology in the photo card. I know there are now credit cards that are issued with both a photograph and some smart card technology, and maybe there's something there to be looked at.

But the member for Carleton East has done a good,

good first effort. It would be easy enough to look at some of these innovations in committee, and I hope the government and the third party will support our efforts to have a chance to look at this in committee.

**Mr Gordon Mills (Durham East):** I am glad to stand in my place today and speak to Bill 44. First of all, I'd like to say the member for Carleton East is a man of great integrity, and as a Deputy Speaker he's chosen this subject to be non-partisan, and I applaud him for that. I take great exception when the member for Simcoe West stands in his place and has the gall and the audacity to suggest that the Liberal government had the health cards printed to get a database for the 1990 election. That is sleazy and I regret that came out in this debate.

I also want to point out to the member for Simcoe West that the figures he based his argument on are completely erroneous. There's no doubt about it: Today, the health cards issued in the province of Ontario are probably equal to, if not less, than the population. I'm sure the member goes to bed with two health cards under his pillow and dreams about coming in here and rattling everybody about health card fraud on out-of-date figures, because that's all he seems to come here for every day. I'm getting sick and tired of this health care fraud. He's got no figures. There's absolutely nothing to substantiate the degree of fraud in this province at all. There have been reports, but they can't be substantiated. It's a myth, and it's a myth that the member continues to perpetrate. He's not here. I wish he were here so he could listen to me. He's bolted.

I want to take up the comments of my colleague the member for Scarborough East. Obviously, there's a lot to do in health care. We have a problem with health cards. I hate to tell it in this House, but at one time I had four. You see, I got one because my second name was spelled wrong, I got another one when I mislaid it and I actually found it, and then I got another one when I was 65. Of course, being a credible member of this Legislature, I've destroyed the three I wasn't entitled to, but there is that air that you could sell them to people.

We've got to do something about health care in general. I like the idea of the member for Scarborough East that maybe we could stop health care fraud if you and I and all the people in Ontario were registered with a doctor, much the same as they are in England. Then, once that registration has taken place, that doctor could become like a shepherd of a flock. He could look through his files and say, "I'm going to weed out all the people who are over 65 and I'm going to send them a letter and say to them, 'Please come in here.'" I am sure that today there are untold thousands and thousands of senior citizens walking around with all kinds of complaints that they don't know about.

I think we as a government, as a health care system, should look into that and take care of those problems.

How many people are walking around with diabetes, walking around with high blood pressure or, heaven forbid, walking around with undetected cancers? I think the government and the Health ministry have a role: to call those people in and screen them and prevent the terrible costs we have by preventable measures.

**Mr Robert V. Callahan (Brampton South):** I want to commend the member for bringing this bill forward. The issue of health is obviously a very sacred one to the people of this country, when one looks at the United States literally falling over itself trying to emulate our system.

One can see that in the present federal election the Prime Minister is having difficulty when she says she's not going to reduce the services of health care but then we see a report come out saying that there will be reductions in various safety net programs. It becomes apparent that this is a very sacrosanct and very necessary thing for Canadians. Therefore, when there is abuse or when there is overusage—we were told it was \$20 million, but the auditor's report I believe brought out that something in the neighbourhood of \$100 million to \$200 million worth of abuse was taking place in our system—it becomes very necessary to come up with a program, and it has to be a program that is effectively going to keep our system intact. That becomes a non-partisan issue, an issue that all three parties in this House should attempt to deal successfully with.

I have to tell you that in the standing committee on public accounts, when we had before us the then Deputy Minister of Health, Mr Dechter—I'm not sure he is any more—I drew to his attention the fact that in the application form that previously existed one could list oneself in eight different ways. For instance, I could be B. Callahan, R. Callahan, V. Callahan or Robert Callahan. I said to him that this actually provides an opportunity for a person to fraudulently receive eight cards. Perhaps that's how we got the 25 million cards out there; I don't know.

#### 1150

To his credit and I think to the credit of the public accounts committee, which I feel is in most issues non-partisan, the Deputy Minister of Health came back the next week and said that they had decided to adopt that program to in fact require a person to be listed on one card on the basis of the document that they provided, which could be your passport, your birth certificate or whatever. I have to say that was an opportunity to be non-partisan, and I believe that's the way this House should deal with this issue.

It's an excellent bill. I want to leave time for my other colleagues to get involved in this debate. I think this is a historic event. When it gets to committee, we can in fact make the bill a perfect one.

**Mr Carman McClelland (Brampton North):** I want to add a few brief comments inasmuch as one of

my colleagues also wants to speak to this matter. There are two things I want to say, essentially; much could be said about this. I think it important to understand that when the red and white card was introduced, concurrent with that was a major technical plan that would have given, over a period of time, an opportunity to update and bring on line a database that would provide information useful for health planning and management purposes. I think it important to note that the current government chose not to proceed with those plans, and much of the fallout—I don't say this to be critical, but it's the reality that much of the problem is the result of failure to follow through with that initiative and to do it properly and provide the data that were essential.

I want to add one other point. I say this with the greatest respect to my friend the member for Carleton East. I applaud him for his initiative, I applaud him for what he is suggesting to do, but the one caution I would raise is that we need to look at further technological assessment in review of the data and information systems that are available. By way of example, and only by way of example—not to promote any particular product line or anything of that nature—there are cards that are known as optical cards, which really are a generation beyond the photo ID card.

With that qualification, and adding that I think the concept the member has brought forward today and much of what has been spoken about—there's obviously a need to respond to a situation in the health care system wherein we need to deal with fraud, control expenditures and, moreover, build into the system management and planning that can actualize savings far in excess of those savings that are sometimes very shallowly attributed to fraud. Yes, fraud is an issue, but there is much, much more to it.

In that context, I applaud the member. I congratulate him for his efforts and wish him success.

**Mr Bernard Grandmaître (Ottawa East):** I have only a minute and 30 seconds left, so first of all I'd like to congratulate my colleague the member for Carleton East on his bill. I know he's been working on Bill 44 and dreaming, eating, sleeping about it—you name it. It was a very important bill and he deserves all the credit.

The kind of attitude from my colleague to my left, the member for Simcoe West, who came here on a leash to personally attack people, the former Minister of Health, the present Minister of Health—

**Mr McClelland:** Uncalled for.

**Mr Grandmaître:** Uncalled for. We cannot resolve our problems by attacking persons. We have to collectively try and find a solution, not only to this problem but to all of our problems in the province of Ontario, and I think that Bill 44 is the start of better things to come.

As he pointed out in his initial remarks, this is not

the end, this is the start, a new bill to provide better services and also to better control the costs of health care. We need the assistance of care givers and we need the assistance of every Ontarian to be registered under their proper name and to respect what's in place.

Again, congratulations to my colleague the member for Carleton East.

**The Acting Speaker:** The honourable member for Carleton East, Mr Morin, has two minutes in response.

**Mr Morin:** I would like to bring to your attention the numerous expressions of support that I have received since the introduction of Bill 44. This bill has garnered the enthusiastic support of district health councils from around the province.

Dr Tom Dickson, president of the Ontario Medical Association, has written to me: "Bill 44 is a good starting point. We all have a stake in our health care system."

Dr Gary Johnson, president of the College of Physicians and Surgeons of Ontario, personally supports Bill 44. This is significant, as it is not the college's usual practice to endorse private members' bills.

The Ontario Nurses' Association and the Ontario Association of Optometrists have also been supportive.

I would further add that there is also general acceptance among the citizens of Ontario of such a measure. A recent survey distributed at random among 3,500 residents in my riding revealed an overwhelming support for the introduction of a photo expiry-date card system for health insurance. After culling the results from a 30% response rate, which is extremely high for such a mailing, the survey concluded with 99% approval of such an initiative. These numbers are significant and indicative of the importance that the residents of Ontario place on their health care system.

The many problems associated with the OHIP card are well known. Bill 44 provides the government with a bill that is ready and waiting. All it requires are some amendments which can be brought through the committee process. By investing now in a sound health care system, we will all reap the benefits later. Let's all work together. This issue concerns us all.

**The Acting Speaker:** Is it the pleasure of the House, because it is almost 12 of the clock, that we deal with both private members' motions now? Agreed.

LAND CONSERVANCY CORPORATIONS ACT, 1993

LOI DE 1993 SUR LES SOCIÉTÉS  
DE PROTECTION DES TERRES

**The Acting Speaker (Mr Noble Villeneuve):** We will now deal with ballot item number 25 in the name of Mrs Mathyssen. Are there any members opposed to a vote on Mrs Mathyssen's motion? If so, please rise.

Mrs Mathyssen has moved second reading of Bill 92, An Act respecting Land Conservancy Corporations. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."  
All those opposed, please say "nay."  
In my opinion, the ayes have it.  
Shall the bill be ordered to committee of the whole House? Agreed.

HEALTH INSURANCE AMENDMENT ACT, 1993

LOI DE 1993 MODIFIANT LA LOI  
SUR L'ASSURANCE-SANTÉ

**The Acting Speaker (Mr Noble Villeneuve):** We will now proceed with ballot item number 26 standing in the name of Mr Gilles Morin. Are there any members opposed to a vote on this bill? If so, please rise.

Mr Morin has moved second reading of Bill 44, An act to amend the Health Insurance Act. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."  
In my opinion, the ayes have it.  
I declare the motion carried.  
Shall the bill be ordered for third reading or committee of the whole?

**Mr Gilles E. Morin (Carleton East):** I would like this bill to be referred to the social development committee.

**The Acting Speaker:** All those in favour of sending the bill to the standing committee on social development, please rise.

The bill shall go to committee of the whole.

This completes private members' hour. The House will now stand adjourned until 1:30 this afternoon.

The House recessed at 1159.

## AFTERNOON SITTING

The House resumed at 1330.

### MEMBERS' STATEMENTS

#### HEALTH CARDS

**Mr Gilles E. Morin (Carleton East):** I want to convey to this government my profound disappointment that it chose not to support Bill 44, the health card bill. This bill had gained the support of many people in the health field, from physicians and nurses to hospital administrators and bureaucrats within the Ministry of Health. It was extremely well received. No one denied that amendments were necessary, but it was agreed that these could be brought through the committee process.

But no. This government, for narrow political reasons, decided not to support Bill 44. Is it preparing to renege on its social contract agreement with the Ontario Medical Association, which states specifically that a new health card would be introduced? At this point, anything is possible.

This is indeed a very sad day for the province of Ontario and for the democratic ideals we're supposed to represent, because this government is saying that hard work and diligence take second place to narrow political advantage. This government prefers to let the problem fester rather than accept a solution from a member of the opposition. This problem must be solved. "Later" costs money, a lot of money. We have all lost.

Earlier today, this government demonstrated to the people of Ontario that it has failed to understand the basic principles of governing.

#### FOREST INDUSTRY

**Mr Leo Jordan (Lanark-Renfrew):** As of October 5, the Ministry of Natural Resources has removed another 16,000 hectares of trees from the logging industry, but it says no to 132 jobs in the village of Braeside because of a shortage of trees. This intervention by the Ministry of Natural Resources has halted the purchase of a sawmill in Braeside.

I'm drawing the attention of the minister to what the people of Renfrew county have asked for. If the minister is truly interested in consulting the people, I ask him to listen to the following motion of Renfrew county council:

"Be it resolved that the council of the county of Renfrew demand that the Minister of Natural Resources proceed immediately to provide the required softwood timber allocation of eight million board feet per year for two years in order to allow the completion of the purchase and re-opening of the Braeside mill by Canadian Wood Products Inc."

Neil Mullins, reeve of Braeside, stated the following in this week's Arnprior Chronicle Guide:

"The recent action by MNR in a letter to loggers is nothing short of blackmail. The wood suppliers are very nervous because of this letter.... They feel that if they

supply Canadian Wood Products with logs, future renewals of their order-in-council licence will be at risk."

I ask the minister to intervene immediately to allow these 132 jobs to be created in Braeside.

#### VINELAND THANKSGIVING ARTFEST

**Mr Ron Hansen (Lincoln):** I rise today to tell the House about an event that will draw thousands of people to my riding this weekend, the second annual Vineland Thanksgiving Artfest.

Organized as a fund-raiser for the Vineland Public School, this unique outdoor show will highlight the works of approximately 165 artists from across Canada. Also featured will be entertainment, food and onsite demonstrations.

Although no admission will be charged, organizers are hoping visitors will instead donate food or clothing, which will be distributed to the needy by Lincoln Community Care. Also, raffles will be held for various prizes, with the proceeds going to Lincoln Community Care, and there will be a food booth manned by grades 7 and 8 students hoping to raise money towards an upcoming class trip.

I'm sure this year's Artfest, which runs Saturday through Monday, will be a resounding success. I would like to congratulate the Vineland Public School, especially Artfest coordinators Gail Morley and Gesine Rogers, for organizing an event that will benefit the entire community.

I urge the members of this House and their constituents to come down to Vineland Public School this weekend and enjoy the Vineland Thanksgiving Artfest. The school is located on Victoria Avenue not far from the Queen Elizabeth Way.

Don't forget to check out another event that will be taking place just a few kilometres up the road: the 19th annual Balls Falls Thanksgiving Festival Craft Show and Sale.

Don't forget that all roads lead to Vineland this weekend.

#### REGULATION OF TRADESPEOPLE

**Mr Robert V. Callahan (Brampton South):** I rise today to condemn once again an action of the New Democratic Party government. They've done this by regulation, not by legislation in this House.

It's a draft regulation under the ozone-depleting substances regulation. What in effect it does is restrict the renewal and issuance of certificates to certified tradespeople only, specifically refrigeration and air-conditioning mechanics, as of January 1, 1996.

Our party supports a measure that will limit ozone depletion, but we strongly disagree with this new section because of the impact it will have on many

small businesses. Some 7,500 technicians will be required to return to school. It's something like the elevator situation as well. That means that residential people will be denied access to a proper number of people who can adequately services these units.

I suggest that the New Democratic Party take another look at this, particularly doing it by regulation. It's a sneaky way of not allowing the elected representatives of this Legislature to speak out on behalf of small business people who will face bankruptcy if this regulation is allowed to stand. I suggest that this is just one more opportunity by this government to dash small business by, I suppose, the backdoor method of trying to get those people perhaps in the union occupations, who have not had jobs or who have been laid off, to be able to sneak in through the back door.

#### RACCOON RABIES

**Mr Bill Murdoch (Grey-Owen Sound):** Last June I asked the Minister of Natural Resources to press his cabinet colleagues to institute a bait-dropping program to combat the spread of rabies in Grey. Clearly no action has been taken, as there has been a sharp increase in reported cases. Local health officials expect another virus, raccoon rabies, which turn raccoons into carriers, to appear in the area within the next six months to a year.

I cannot understand why this government has taken no action when it is presently spending more than \$25 million a year for case investigation, diagnosis of rabies, livestock indemnity and human vaccinations. With the continuing spread, these costs are rising daily.

Rabies is a serious disease which is spread through saliva, usually through an animal bite, and it will kill an infected mammal. It horribly endangers children and pets while creating terrible financial hardships for farmers who lose their breeding cattle. Something must be done to combat this spread.

The Ministry of Natural Resources has had a successful bait-dropping program in effect in southeastern Ontario since 1989. Ministry staff are so pleased with the results that they have asked to have the program expanded to other affected areas such as Grey. Why will the minister not grant their request and the request of thousands of parents and farmers across the province? What more evidence does he need that action must be taken immediately?

#### LONDON 200 CONFERENCE

**Mr David Winninger (London South):** I rise in the House today to focus attention on a three-day event which will take place in London commencing October 27. Some of the world's best-known authorities will speak on topics relating to sustainable urban development and share with us their perspectives on development strategies in communities like ours.

As we celebrate London's 200th anniversary, the

London 200 Conference, London into the Next Century: An Agenda for the Responsible City, will promote an inclusive vision of the future governed by planning in which ordinary people participate.

World leaders in science, industry and policymaking will share key ideas regarding sustainable development and planning with business leaders, educators, administrators, representatives of governments and environmental activists, students and citizens of all ages.

#### 1340

Resource people and speakers feature David Suzuki; Dean Jacobs of the Native People's Circle on the Environment and Development; Uppsala, Sweden, Mayor Gunnar Hedberg; and Maurice Strong, chair of Ontario Hydro and former secretary-general of the 1992 United Nations Conference on Environment and Development.

The findings and recommendations made at the conference will be used in the city of London's Vision '96 process and will be incorporated into its strategic, social and economic plans in the new official plan for London.

I laud the goals and vision of the organizers of this London event.

#### WATER QUALITY

**Mr James J. Bradley (St Catharines):** A news report in the St Catharines Standard under the byline of Doug Draper states:

"The Niagara River remains a 'major toxic pollution hot spot' in the Great Lakes basin despite years of effort to clean up the waterway, says a report to the International Joint Commission.

"Concentrations of several highly potent chemicals, flushing into Lake Ontario from pollution sources along the river's shores, continue to exceed water quality guidelines, says the report released by the IJC's Great Lakes science advisory board."

It's obvious from the lack of progress in dealing with the Niagara River that there must be certain measures taken. First of all, a new emphasis must be placed on environmental issues in general and on the cleanup of the Great Lakes basin in general as well.

The Ministry of Environment and Energy must be given the money, the staff, the resources and the clout to carry out its obligations and responsibilities, and not receive the backhand of the cabinet.

All parties which signed the Niagara River cleanup agreement in 1987 must be compelled to deal immediately and comprehensively with their sources of contamination if the agreement is to be worth more than the paper on which it was written and signed.

The environmental watchdogs in the public interest groups, the legislative bodies and the media must renew their efforts to bring environmental matters to public

and government attention if indeed we are to succeed in cleaning up the Niagara River and the Great Lakes basin.

#### JAMES WARDLAW

**Mr David Tilson (Dufferin-Peel):** I rise today to honour a lawyer in my riding of Dufferin-Peel who is being presented with the Law Society Medal on October 21. This medal, presented by the Law Society of Upper Canada, recognizes James Wardlaw QC for his outstanding service within the legal profession.

James Wardlaw has excelled in all areas of the law during his 36 years of practice in the town of Orangeville and surrounding area. Mr Wardlaw began practising law in Orangeville when he was called to the bar in 1956. What began as a small practice with himself and his father, Norman Wardlaw, has expanded to become the largest law firm in Dufferin county.

Jim has always been known for his support of other professionals, as a valuable information source, a teacher and as a well-respected member of the legal profession. While Jim has always given his full commitment to the practise of law, he has also been an active member in his community by serving both as councillor and as reeve for the town of Orangeville and as people's warden for St Mark's Anglican Church, president of the Orangeville Rotary Club and president of the Dufferin County Law Association. He has shared his knowledge by lecturing to groups of the public in local Law Day events, as well as municipal law seminars and business and estate law seminars. He is currently a well-respected bencher with the Law Society of Upper Canada.

I would like to offer my sincere congratulations to Mr Wardlaw and wish him all the best as he accepts the Law Society Medal on October 21.

#### RED HILL CREEK EXPRESSWAY

**Mr Donald Abel (Wentworth North):** Once the fall waters turn chilly and the big rains lift the level of the Red Hill Creek, the robust chinook salmon will again follow their genetic path up the fast-flowing stream in an attempt to lay their pea-sized eggs. Unfortunately, they won't get far. About halfway up the stream the fish will arrive at a concrete channel and small weir that was built as part of the construction of the controversial north-south leg of the Red Hill Creek Expressway. Last year the only salmon that cleared the dam were the ones that were lifted over by concerned citizens. Dozens of fish died before they were able to spawn.

This channel and weir was built with absolutely no regard to fish habitat whatsoever. In fact, the Ontario Ministry of Natural Resources says the design may violate the federal Fisheries Act. This encroachment must be rectified to allow safe passage of migratory fish.

It wasn't too long ago when Liberal leader Lyn McLeod paraded through the area with her entourage of

Liberal hopefuls telling local residents to vote for them and they will reinstate funding for the Red Hill Creek Expressway. They called the valley a neglected cesspool. Well, the salmon and even the trout that use that stream don't think so, because they return every year to that very place to complete their life cycle.

I'll tell you, Mrs McLeod, if you are elected, and God help us if that happens, you'd better buy hip waders, because thousands of people who support the preservation of the valley will expect to see you and your Liberal lackeys in that stream, helping the salmon continue their voyage up the stream.

#### MEMBERS' PENSIONS

**Mr Will Ferguson (Kitchener):** Recently, MPPs' salaries were reduced by approximately \$10,000 a year over the next three years. I think this move has been viewed by the public as a step in the right direction.

The residents of Ontario hold another common view, and that's that members of this Legislative Assembly and the House of Commons in Ottawa are merely a group of self-serving individuals who are more interested in their own good rather than the public good. What really disturbs the public is that members of both Houses are entitled to what can only be described as cash-for-life pension plans upon defeat or retirement.

Many residents of the Kitchener riding question me about why an elected member of this Legislature should be compensated for life after only five years of service. Take anyone who serves in this House continuously from 1985 to 1990. Each and every one of those individuals would be entitled to approximately a quarter of a million dollars for just five years of service. When it comes to MPPs' and MPs' pension plans, the public is enraged, and rightly so, for it sees a benefit that is not even remotely connected to the real world.

Today, I'm calling on the government of Ontario to increase the age of eligibility to 55 years, to put an end to double-dipping and to increase the amounts of premiums individual MPPs pay. I think the public is appealing to the government and all members for leadership on this issue, and I can think of no better way to demonstrate to the public that all of us are really much more concerned with the public interest rather than our own interest.

**Mr Robert V. Callahan (Brampton South):** Mr Speaker, I rise on a point of privilege. It's come to my attention that there is a rather detailed report on corrections in this province that apparently gives the government a bad mark. The report has not been released. As you know, I'm Correctional Services critic. Without the release of that report and the opportunity to see it, I'm deprived of the right to carry out my responsibilities as critic for the official opposition in terms of corrections.

I call upon the minister to release the report. Are they afraid of what's in it? Are they going to bury it just like

they did the medical report? I ask you, Mr Speaker, to intervene and to restore my privileges and require them to release the report.

**The Speaker (Hon David Warner):** The member will know that he does not have a point of privilege. However, it does sound as if he is on the question list today.

### ORAL QUESTIONS AFFORDABLE HOUSING

**Mrs Lyn McLeod (Leader of the Opposition):** My first question is to the Minister of Housing. You perhaps will be aware that this morning the Fair Rental Policy Organization of Ontario released a second Clayton Research Associates study that looks at the long-term cost of not-for-profit housing construction in comparison to a shelter allowance program. The study shows that by the time the mortgage on a not-for-profit housing project is paid off, the interest alone on that mortgage makes the government-built project much more expensive than an alternative program would be.

I ask you, will you accept this new study as further evidence of the need to review your not-for-profit housing program?

**Hon Evelyn Gigantes (Minister of Housing):** The Ministry of Housing and I as Minister of Housing accept all information available about the housing market, about the choices to be made in public policy between providing shelter allowances, which we do to a very large scale in Ontario, and/or the provision of non-profit, new, affordable housing units, and of course this material will be considered seriously.

I want to point out to the Leader of the Opposition that it is true for any family household that purchases a home that by far the largest cost involved in a long-term mortgage situation is interest. That's the way the world is in a free, private-market financial situation.

Most of us don't have the money to provide cash up front to buy a home and therefore we take out long-term mortgages. The richer we are, of course, the shorter the mortgage we can afford. In this case, the public of Ontario is guaranteeing mortgages that go over 35 years, and I want to point out to the Leader of the Opposition that what that gets you is a house that's affordable.

1350

**Mrs McLeod:** I would suggest to the minister that this question has nothing to do with private home purchases. Private home ownership is not something which figures anywhere in this government's housing policy. What we're talking about is the way in which this government meets the needs for social housing. There is more and more evidence of the sheer inefficiency of the programs that are currently in place, and that's what we draw to this minister's attention.

Surely, the minister will agree that in these very difficult financial times, the dollars that are available for

any of our social programs are extremely scarce and that every single dollar has to count. The tax dollars for social housing have got to be well spent, Minister. I take you back to the Provincial Auditor's report, which clearly showed the waste that is in the program. You will surely remember that report showed that the average annual subsidy for new not-for-profit construction is now in the \$12,500- to \$15,000-a-year range, and that's as much as it costs to rent a luxury apartment on Bay Street these days.

It is so clear to everyone except you that the dollars for affordable housing have simply got to be spent in a more cost-efficient way. In the face of all of this evidence, how can you justify planning to continue with the allocation of funds for 30,000 more units?

**Hon Ms Gigantes:** I can't begin to tell you the number of errors that are contained in that so-called question. First of all, our new Jobs Ontario Homes program is for 20,000 units; I repeat, 20,000. What it will provide over the period in which the building is going on is 33,000 full years of work for people in this province. What it will provide when those units are complete is affordable housing which will stay as a public asset in this province. It will stay affordable for 35 years.

The Leader of the Opposition talks about how we are using precious moneys on this very good investment. She wants them all transferred to shelter allowances. Twenty-five per cent of what landlords in the private market—I repeat, private rental market—of Ontario receive in rents comes from tax dollars. That is the biggest rental subsidy program going in this country. If she wants to just keep on adding to that instead of making an investment, she needs to rethink housing policy.

**Mrs McLeod:** Just for the sake of thoroughness, there were 10,000 units originally proposed in 1991 and a further 20,000 units proposed. It was a total of 30,000 units, and they are still in the planning stage.

I am well aware, as the minister cites the numbers of short-term jobs that construction in housing will create, that this government's main response to the need to solve our unemployment problem is to talk about spending more dollars on government projects. I'm also aware that the not-for-profit housing program is this government's sole response to the need for affordable housing.

We are not advocating exclusively an alternative program, whether of shelter allowances or rent subsidies or the abandonment of the not-for-profit housing program. Simply listen to what it is we are raising as an issue of concern, minister: We are arguing for the cost-effective use of the dollars that you have available for affordable housing, and I don't hear you willing to look at any of the evidence of inefficiencies, whether it is an outside-conducted study or whether it is your own

Provincial Auditor's report. I don't hear you willing to look at any alternatives.

We have asked you to place a moratorium on the further allocation of not-for-profit units until an immediate review of this program can take place. Will you put that moratorium in place, and will you begin that review of your housing programs immediately?

*Interjections.*

**The Speaker (Hon David Warner):** Order, the member for Durham East.

**Hon Ms Gigantes:** The Leader of the Opposition is saying to us things which are totally self-contradictory. She says, first of all, that all she wants is a little concern for the facts. That's a mutual kind of feeling, let me assure her; I would like her to have a little concern for the facts. Second, she says this concern should lead to a moratorium. That means, "Let's get concerned, but let's stop in the meantime."

We have a balanced policy to help people who need help and assistance in this province. There have been cases in which housing developments in the non-profit program have been too expensive. They were initiated under your former government.

Let me say that the figures she has cited for the annual subsidy costs in new non-profit are incorrect, and she should get them correct. When she talks about facts for the need for assisted housing in this province, she should think about balance, \$2.5 billion that goes out year after year if people are in need and doesn't create a stick of new affordable rental housing, and a modest investment which creates good jobs; since October 1990, 70,000 full-year jobs.

**The Speaker:** Could the minister conclude her response, please.

**Hon Ms Gigantes:** She needs to rethink this subject.

*Interjections.*

**The Speaker:** Order. New question.

**Mrs McLeod:** Just so the Housing minister knows, I am very well aware that in the not-for-profit housing program, many of the developments there were put in place under the previous government. That does not stop me from saying that the program needs to be reviewed and that we need to use our dollars for housing efficiently. We would be prepared to review it, and so should you.

#### INTERPROVINCIAL TRADE

**Mrs Lyn McLeod (Leader of the Opposition):** My second question is for the Chairman of Management Board. I'm sure that the Chairman of Management Board, as a member of the government and the cabinet, is well aware of the very contentious issues that surround Ontario and Quebec construction trade practices and how particularly relevant the concern around those issues is at this time, given his colleague's announce-

ment last week.

Can you tell us, as Chair of Management Board, when the recent policy direction of your colleague to exclude Quebec-based contractors, subcontractors and construction materials from Ontario government projects is to take effect, and can you also tell me whether in current practice and policy of Management Board there are any policies that would give preferential treatment to Quebec companies?

**Hon Brian A. Charlton (Chair of the Management Board of Cabinet):** In response to the first part of the Leader of the Opposition's question, the new policy regarding Quebec construction opportunities in Ontario on projects around which we have direct control, those that we tender ourselves and those that we can influence in our transfers and so on, will take effect essentially immediately, although with some of our transfer partners it will take a little bit longer to implement because we can't directly control their practices, only attempt to influence them.

In that respect, we will be moving very quickly to not only publicize the new policy in terms of the tendering process with the provincial government, but we will also be moving very quickly to issue addenda on some existing tenders that are already out.

1400

**Mrs McLeod:** I find that a very interesting response, because there's a situation that has just come to our attention that would seem to us to certainly contradict existing tendering policies in the government, but which would also clearly contradict the government's intention to move immediately to restrict Quebec construction companies in doing Ontario government projects.

The situation is a situation in which the Ontario government is building a new psychiatric hospital in Whitby. One of the major parts of this project is a multimillion-dollar tender on the security-grade windows that make up some 70% of the building. There are a number of Ontario companies that have spent the last two years and a great deal of time and money preparing for the tender on the windows, and that tender is to close on October 14. We have now been informed by one of the Ontario companies that is bidding on the project that it was told two weeks ago by Management Board secretariat—in this case, it was indeed an addendum to the tender that would give a Quebec company the sole right to be the builder of the security windows, clearly a violation of fair tendering procedures and clearly a violation of the government's intention to move immediately on the issue of Ontario-Quebec construction trade practices.

Could the minister confirm that Ontario companies are being shut out of this portion of this bid, and how could such a move possibly be justified?

**Hon Mr Charlton:** The issue to which the Leader

of the Opposition refers is an issue which obviously she does not fully comprehend.

It is a normal practice in the tendering process to set specs. In some instances specs are set by technical specifications; in other instances they are set by the naming of a product, the standard that has to be met. That does not preclude anyone from bidding on that project, but it does help the government, or any other developer, for that matter, to meet a specific standard in its building to be able to set a requirement that in this case refers to security it wants to meet in the new building.

**Mrs McLeod:** I understand a little bit about tendering policies and I understand a great deal about the English language, and the minister has just said that they are going to, as a part of their specifications, name a product. That clearly is a way of altering the specifications to a point of such narrowness that you are in fact excluding all but a single bidder.

Because I understand the English language, I can also understand the concern of one of the Ontario bidders who certainly understands the tendering process and who has been involved in the past two years in preparing plans to meet the architect's specifications on this project, specifications which were altered about two weeks ago. This particular bidder says that they have been advised by the architect that the Ontario Management Board secretariat has insisted that it will allow only a Quebec window manufacturer to bid on the security windows for this job. They do not understand why the Management Board secretariat, at this late date, September 30, would propose and insist that a Quebec company should supply the security windows and that no Ontario manufacturer will be allowed to bid as equals.

He has written to the Premier to ask for the Premier's assistance to reserve this absolutely unjustifiable policy change. Minister, I ask whether or not you will now reverse the decision to exclude Ontario companies from this bid.

**Hon Mr Charlton:** The intention is not and never was to exclude any Ontario companies from this bid. Again, I repeat for the benefit of the Leader of the Opposition that it is standard practice in the tendering process not to name the product that will be used but to name a product that sets a standard that has to be met. That is a basic general reality across the construction industry in this province.

#### CHILDREN'S SERVICES

**Mr Michael D. Harris (Nipissing):** My question is to the Minister of Community and Social Services. I have with me a copy of the expenditure control plan form which asks social service agencies how much money they are forecasting they will be able to collect over the next five months in new user fees for children's services.

Minister, are you so desperate for cash that you intend to charge over \$4 million in the next five months in new user fees to those in our society who can least afford them: parents of vulnerable children requiring services from your ministry?

**Hon Tony Silipo (Minister of Community and Social Services):** The measure that the member refers to is indeed one of the cost containment measures that we have had to bring in to try to make the system that we have in place both more accountable and fair. I can certainly assure the member that as we develop the details—and the survey that he refers to is exactly to help us to do that—we will ensure that no one who needs services is denied services because of their income situation.

The point of the exercise is to try to see if there are some areas—and we believe that there are some—where in fact some form of parental contribution is acceptable and to determine exactly what range that would be and in what circumstances and for what types of services that would be applied. That is exactly what the purpose of the work we are now doing will help us determine.

**Mr Harris:** Mr Minister, your own staff has made it very clear to the agencies that they will be expected over this next two-and-a-half-year period, or the expenditure control plan period, to collect \$20 million in user fees for the government.

**Ms Dianne Poole (Eglinton):** Not user fees? I don't understand.

**Mr Harris:** It says "user fees" right in the discussion paper the ministry is talking about.

Your government has spent more than \$100 million to drive the private sector out of day care for no other reason than ideology. Last year the auditor identified millions of dollars of waste in your own ministry, yet you expect parents of vulnerable children to pony up nearly \$20 million in the next two and a half years. I suggest to you, minister, that that is not only unfair; that is unjust. That's without any discussion with the parents involved. It is the height of mismanagement and irresponsibility.

Can you tell all the parents who won't be able to send their children, vulnerable children in our society, to the worthwhile programs because of your cash grab, can you explain to them why you're wasting all this money? Can you explain to them why you haven't cut your own expenditures but now want to charge them \$20 million to access children's services programs in the next two and a half years?

**Hon Mr Silipo:** I hate to bust the member's balloon and bring a bit of reality and fact to the situation, but he is wrong and his information is incorrect when he concludes that there will be \$20 million a year in user fees. That just is not the case.

The annualized amount under that particular item—

and this is only when we get to a full year's calculation—is in the neighbourhood of about \$6 million to \$7 million a year. The remainder comes from a number of other measures such as ensuring that agencies that are eligible to claim from the federal government the child benefit that they can claim legitimately do that before requiring us to make those payments to them instead. I would think that the leader of the third party, as one who has stood in his place many times and talked to us about accountability and ensuring that we are spending our dollars in the wisest fashion, would actually be supportive of us looking at the most effective ways in which we make the calculation of the fees we pay and the dollars we provide to agencies.

I can also say to him, in conclusion, that we have done this after taking all other steps, including steps to downsize the ministry's operations, where we are taking cuts to a much larger degree than we are suggesting the agencies have to take.

**Mr Harris:** According to what you've just given the House and your own ministry and your own agency, it's \$6.7 million a year, or about \$20 million over the life of the social contract, the expenditure control plan. So the amount of user fees you plan to charge is 20 million. You're looking at these fees starting November 1; you've told the agencies that. This is for community living programs for the developmentally handicapped, for mental health treatment, for counselling for abused children, to name a few. These are the programs we are talking about now bringing in up to \$20 million in new user fees for. Parents who choose to keep their special-needs children at home already, we know, have far greater costs than many families, and now you want to hit them again. For some, this will be the final straw.

If you believe that these vulnerable children should help pay for your government's mismanagement, who is it that you're planning to charge next, to bring in new user fees to cover up the mismanagement in the spending of your government?

1410

**Hon Mr Silipo:** Again the leader of the third party fails to mention that in those same guidelines he was reading from we clearly set out that the agencies' budgets for this year have been calculated without taking into account those measures, because we want to be sure, first of all, that we are being realistic in the dollar targets we've set before those are implemented and carried out. I think it's incumbent on him, if he wants to charge on this point, that he put the complete information out in front of people.

We are trying to manage a very difficult situation in the best way we can. We are being very sensitive to the comments that people are making to us around this and other measures and I can certainly assure the member that we will not get to a situation where people will be denied service, under any circumstance, as a result of

these measures. The fees we are looking at will assist in legitimate areas where we believe there can be a role for parents and families to play financially, but it is not in any way intended to reduce the level of service or to affect the provision of needed service to young people.

**The Speaker (Hon David Warner):** New question.

**Mr Harris:** Parental charges or parental copayments: Are you saying those aren't user fees?

**Hon Floyd Laughren (Deputy Premier and Minister of Finance):** Is this another question?

#### OCCUPATIONAL HEALTH AND SAFETY

**Mr Michael D. Harris (Nipissing):** Yes, I have a new question, to the Minister of Labour. The former Liberal government brought in legislation that mandates safety training courses for workplaces in Ontario.

I don't see the Minister of Labour here, although I saw him a minute ago. Is he on his way? I'll stand down the question then until he comes back. Oh, here he is.

The former Liberal government brought in legislation that mandates safety training courses for workplaces in Ontario. This is Bill 208. We all agree with the goal of safety; I think everybody would understand that. But it would appear that the courses offered are a joke. For example, the town of Halton Hills informs us it must spend \$6,045 to send its staff to a one-week course that, according to a local councillor, teaches them to operate a photocopier, a dishwasher and a fax machine. Councillor Anne Currie says, "I've been operating a dishwasher for many years and, look, I'm still here to talk about it."

How can you defend implementing a law that makes this type of course mandatory?

*Interjection.*

**The Speaker (Hon David Warner):** Order. The member for Durham East, please come to order.

*Interjections.*

**The Speaker:** As pleasant as the weather is outdoors, I'm sure all members would rather be here for a little while. I would invite the Minister of Labour to respond.

**Hon Bob Mackenzie (Minister of Labour):** I want to make it clear that the courses being offered are not courses with the content described by the leader of the third party across the way. I think he should do a little checking and know a little better when he makes those kind of statements.

**Mr Harris:** I'm just telling you what the town of Halton Hills is telling me the courses are. Not only would it appear that the courses are useless, but in true NDP-Liberal style the policy is placing undue financial burden on small businesses and municipalities. We're talking now of Ontario workplaces that are already reeling from overtaxation and overregulation, and now

you're forcing them to pay a minimum of \$535 per person to take a course. That does not include replacement salaries; that does not include transportation; that does not include hotel expenses. For what? A lesson on how to safely operate a dishwasher? How do you expect our small businesses to pay for these types of courses?

**Hon Mr Mackenzie:** I'm beginning to understand why we never got anywhere in all the years when we were in opposition and trying to push the Tory party into some decent and effective health and safety legislation in the province of Ontario.

I want to say that several hundred workers have been through the courses. We expect to be putting through 100 or 200 a week very shortly, and the reports coming out of the first graduation classes from both management and labour are absolutely excellent.

**Mr Harris:** You're absolutely right. For 42 years you couldn't push us into making these types of courses. You're quite right: I'm guilty.

This morning, minister, my office contacted a number of small businesses who had written to say they cannot afford to send their staff to these courses but they're afraid to speak up because they know of many small businesses that have been threatened by your civil servants for non-compliance with up to half-a-million-dollar fines or imprisonment. Those are the threats.

Who is setting up these courses? Who is monitoring them? Who is looking at compliance costs? Who is looking at the effectiveness of these courses? I want to ask you this: Is it really necessary to use this big-stick approach to our small businesses that are reeling in this province, our last hope, perhaps, as generators of jobs?

**Hon Mr Mackenzie:** Perhaps it's time the leader of the third party looked back at Ontario's record in health and safety, which was not that good, at the hundreds of thousands of workers injured year and at the hundreds of workers killed each year on the job.

I want to tell the leader of the third party that the project and the courses have been set up by a bipartite board of both management and labour, and they are monitoring them as well.

#### CHILDREN'S SERVICES

**Mrs Lyn McLeod (Leader of the Opposition):** My question is for the Minister of Community and Social Services. I can understand why the minister would be somewhat confused by questions from the leader of the third party about user fees being imposed by his government. The leader of the third party says that he supports user fees and then asks questions about why he has to pay for his medical tests, so I understand why the question is confusing.

It is also a fact that the leader of the third party was inaccurate in suggesting to this minister—

*Interjections.*

**The Speaker (Hon David Warner):** The Leader of

the Opposition, to whom I apologize for the—  
*Interjections.*

**The Speaker:** To the Leader of the Opposition: She may wish to begin again.

**Mrs McLeod:** We know it is not the fact that the minister is looking at retrieving some \$20 million in the expenditure control plan through the imposition of user fees for children's services. What we do know is that we have a copy of a memorandum from the Deputy Minister of Community and Social Services dated July 19 which indicates that his ministry is looking at imposing user fees in order to retrieve some \$4.3 million in expenditure control restraint and \$6.7 million next year in expenditure control fees.

1420

This is one of the examples of the way in which this government is just quietly bringing in a whole system of user fees without looking at the impact that these fees are going to have on the services that are provided to people across this province, and I would like to ask this minister to tell us very clearly exactly what children's services these user fees are going to be imposed on and what guidelines his ministry has now put in place in order to establish user fees for such services as counselling abused children, therapy for children with learning disabilities and a host of other services that are needed by children across this province.

**Hon Tony Silipo (Minister of Community and Social Services):** Let me just say that the decision about what types of services this fee will affect has not been made, and that's the point I was trying to get across earlier. The discussions we are having now with the agencies that are affected by and would be therefore responsible for carrying out this measure are exactly intended to help us define what kinds of measures could be put in place so that we are not affecting basic service that needs to be provided. It's the result of those discussions that will let us conclude and answer the question that the Leader of the Opposition has asked.

**Mrs McLeod:** I really have to say to the minister that this is a policy decision of such enormous consequences in providing services to children with need that it is simply not enough for the minister to say, "We are having broad discussions." The memorandum from the deputy minister indicates that they are going to retrieve, through user fees, some \$11 million over the course of the next two years. It is to come from all children and family service categories, including young offender services and including services to children with developmental disabilities.

The agencies were supposed to have been told last Friday how those fees were to be implemented. They do not know what to expect; the families do not know what to expect.

I ask the minister to think about two very specific

examples and assure us that this would not be the case when he imposes his user fees: Can you assure us that it will not be the case that a family has to be assessed a user fee before the children's aid society can investigate a complaint of child abuse? Can you assure me that a 14-year-old girl who may well be the victim of incest is not going to have to get money from her parents to come in for counselling before she can get the help she needs?

Can you tell me exactly what you are doing, as the minister responsible, to ensure that no child in this province will be unable to receive the services they need because you are imposing user fees?

**Mr Cameron Jackson (Burlington South):** Be careful with this one, Tony. There are people on that committee who have already told us. Be careful with this one, Tony.

**The Speaker:** The member for Burlington South is out of order.

**Hon Mr Silipo:** I have no trouble whatsoever standing up in this House and telling the Leader of the Opposition that the two specific examples she has given, and others similar to that, are not the kinds of things I would want to see, nor would I ever approve of measures that we would approve as being areas that could be subject to any kind of contribution or user fee, whatever the category we want to make. We are not talking about making the provision of basic services for which children's aid societies or other children's agencies are responsible be ones that would now to be tied to income and ability to pay. That is not what we're talking about.

What we are talking about is that, in the same way we now have a variety of agencies that charge some range of residential fees based on the circumstances of individual families, we can take a look, we believe, at some measures on a comparable basis in non-residential areas. What exactly those will be are not the subject of broad discussions. They're the subject of very specific discussions we are having now with the agencies affected. It's the result of those discussions that will inform us and will assist us in coming to that conclusion. The dollar amounts, quite frankly, will be dependent also on the kind of advice we receive.

**The Speaker:** New question, the leader of the third party.

**Mr Michael D. Harris (Nipissing):** No discussion with parents, just among yourselves, how you're going to gouge them with new user fees.

**The Speaker:** To whom is your question directed?

#### ASSISTED HOUSING

**Mr Michael D. Harris (Nipissing):** My question is to the Minister of Housing. Minister, last Wednesday I asked you about a \$1.3-million government housing project on Waverley Road. First of all, you attempted to

wash your hands of any responsibility for this flagrant abuse of tax dollars by blaming it on the Liberals. You said they bought the property and they started this up. When that didn't fly too far because it was you who were in government when most of the incompetence took place, then you blamed the neighbours of Waverley Road for the high costs of your project. You said they objected to this project; they didn't want this kind of housing in their neighbourhood is what you implied.

Minister, I've had phone calls and I've had letters from the people on Waverley Road, who tell me they did not object to the project, to the type of housing or to what you wanted. The only thing they objected to was your coming in with the government lawyers to try and build something counter to the zoning laws that were in place at that time, and that after you went through this process you were told, a year later, spending all that money, that you could do exactly what the neighbours said you could do right at the start. Will you apologize to the people on Waverley Road, who are incensed that you are blaming them for the cost of this project?

**Hon Evelyn Gigantes (Minister of Housing):** The point I tried to make last week was that the opposition which had occurred in the neighbourhood did delay the project and the delay in the project did cause increases in the cost. The leader of the third party will also acknowledge that I said there were very specific problems with the renovation that was done in that project—I said that—and in fact, having looked back at what had happened, probably a different decision might have been made about two years into what turned out to be about a four-year process. That much I have said and that much I think is accurate.

**Mr Harris:** Minister, you acknowledge that if you had known everything now, you probably wouldn't have proceeded. That goes for virtually every one of these projects we've looked at, whether they're yours or the Liberal ones. But on this specific one, you attempted to pass your incompetency on to the taxpayers, to the neighbours, the neighbours surrounding that area. Yes, the delay added a minimal amount to the cost of the project, but the delay was only to stand up for their rights because you tried to steamroller over them, tried to say: "We're the government, The zoning bylaw doesn't apply to us. We can do whatever we want." It turns out that you couldn't. That's pretty normal understanding, you know; what developers face, what builders face, what the private sector faces.

All I am asking you today is, will you apologize to the residents on Waverley Road, who have no objection whatever to that type of housing being in their neighbourhood—in fact, they welcome it—and you, in your answer last week, implied that they did?

**Hon Ms Gigantes:** I don't think there is cause for apology. If I felt there was I would be glad to

apologize. I think I acknowledged that the decisions that were made around that project created expenses associated with the high cost of renovation, and that I acknowledge. I'd also point out to the leader of the third party that in fact the only projects among the non-profit housing program that he's looked at are ones which have run into particular difficulties, such as this one.

A further note: If he would care to look now at the number of people who are housed there, the women in transition with children associated, there are the same number of people accommodated as the project—

**Mr Chris Stockwell (Etobicoke West):** Come on, you tried to double the density on the residence.

**The Speaker (Hon David Warner):** Order.

**Mr Stockwell:** That's what you did. You were trying to double the density, that's what you tried to do.

**The Speaker:** The member for Etobicoke West.

**Hon Ms Gigantes:** —originally suggested and it has been just a reconfiguration, which was required by resistance in the neighbourhood, that the delay took place.

**Mr Stockwell:** You laughed the developer out of the room.

**The Speaker:** The member for Etobicoke West is out of order.

**Hon Ms Gigantes:** Nothing has changed in terms of the original proposal to provide housing for the women and children who need the particular kind of housing there, and there are 19 people currently living in that project for whom it provides a very good home. It has been provided at a high cost, and I do say that the additional delay that was created by confusion around what the neighbourhood would accept and what the neighbourhood wouldn't accept did add to the costs.

1430

#### JOB ONTARIO COMMUNITY ACTION

**Ms Margaret H. Harrington (Niagara Falls):** My question is for the Minister of Economic Development and Trade. Last week I held a public meeting in Niagara Falls to explain the new Jobs Ontario Community Action program. It was very well attended, with about 70 people there representing all different segments of the community. The people in Niagara Falls are very excited about this program and the challenge of working together.

This week I received this letter from our local economic development agency asking about the process for submitting a proposal. It seems to be unclear in some places. What they suggest is the following: that city staff list and prioritize projects, then call a community meeting to request comments from interested groups and then ask for their support for the application. Then the proposal would be submitted to the area's community economic development committee and then

be referred on. I need to know if this is the appropriate process for them to follow.

**Hon Frances Lankin (Minister of Economic Development and Trade):** The member will know that the Jobs Ontario Community Action is attempting to engage the community in a different way in terms of strategic planning for the future of local community economies.

The part of the program that the letter from the Niagara economic development office is referring to is the community capital. It's only one part of the program. There's nothing wrong with the process they have outlined. We will work with them under that kind of process.

Where we hope to get to in the future is that communities come together and do strategic planning overall about the strategic plan for their community, not just on capital projects but on investment attraction, on enhancement and retention of existing industry, using the community loans and the community share corporation vehicle that hopefully will be passed through this Legislature in this fall session. I think we would like to see a more holistic approach in the future, but these are early days and we'll be pleased to work with the member and the municipality and her region, along with other community partners, to try and make this process work in a good way in that community.

**Ms Harrington:** The other question I have been asked is certainly very important; that is, can you tell us when the decisions will be made? When can we expect decisions about the proposals that are being submitted now?

**Hon Ms Lankin:** In the past, many of the programs that are now combined under the community capital pool of funds that are available used to have different deadlines and application times and every community had to chase through the different ministries and different departments with different applications. It was like chasing grants. Really, it was communities chasing government priorities rather than government responding to community priorities.

There is no deadline now. This is an ongoing, revolving process. As the applications come in, we will work with those communities. We have regional and core team meetings regularly to approve projects. It depends on the project, the state of readiness that it is in in terms of the application, and we will do our best to help facilitate that in the community, to get the information pulled together to ensure that the community's application is ready for proper consideration.

So there are no deadlines. There is no specific time frame, except to say that this involves jobs and we will move as quickly as we can in all cases.

#### YOUNG DRIVERS

**Mr Steven Offer (Mississauga North):** I have a question for the Attorney General. I'd like to send this

over to the Attorney General. We all recognize that if we drive a car with greater than the legal limit of alcohol in our body, it will, on conviction, result in the suspension of our licence for at least one year. As we are also aware, this applies to any person of whatever age. We are also aware that the age to legally drink in this province is 19 years. However, if a person under the age of 19 breaks that law, in other words, has alcohol in his or her body and is driving a vehicle, there is no driving penalty.

I will be introducing a bill today, and I have sent over a copy of the bill, which will prohibit persons under the age of 19 from operating a motor vehicle while having any alcohol in their blood. It prescribes a penalty for contravention, being the suspension of those persons' driver's licence for one year. My question is, will you support this legislation?

**Hon Marion Boyd (Attorney General):** The member should be well aware that in the new bill we are looking at introducing in terms of graduated licensing, there's zero tolerance of alcohol in young drivers' blood. The member should know that that licensing regime is in place over a two-year period in a phased kind of situation, so in effect the work we've already been doing on graduated licences would have the same effect the member is suggesting.

**Mr Offer:** I'll ask the page to take over some statistics. You speak of zero tolerance for people under the age of 19. In this province the age for legally drinking is 19; therefore, there is already zero tolerance. The question is why there is no driving penalty for an individual breaking that law. My bill is designed to correct this.

I have sent over to you statistics which have been provided me by the chief coroner of Ontario, Dr James Young, which indicate the number of fatalities of young people where alcohol is a contributing factor. Minister, you, as well as everyone here, know that the numbers do not really represent the anguish and sorrow that is felt.

I have given you those statistics. The "zero tolerance" without a driving penalty are words without teeth. I ask you, in light of the statistics I have provided to you, will you support this legislation?

**Hon Mrs Boyd:** I believe the more comprehensive measures we are proposing, both in graduated licences and what we expect to introduce in terms of drinking and driving countermeasures, will be more effective. There is a whole policy which is under the auspices of my ministry but is a shared kind of program with the Ministry of Transportation and with the Ministry of the Solicitor General, and it is certainly our intention that the effect of what the member is suggesting would become part of that comprehensive bill. At this present time, the driving penalty he is looking for—he is quite right—is not there and that does need to be added, but

it needs to be added in a much more comprehensive way than he is suggesting.

#### POLICE SERVICES

**Mr Robert W. Runciman (Leeds-Grenville):** I have a question for the Solicitor General. The question concerns the end to the so-called free policing for those smaller municipalities which currently receive OPP protection at no direct cost. Your ministry favours a two-pronged approach to put an end to what some people call free OPP policing. You, we're told, first intend to make municipalities larger than 5,000 in population pay for the policing they receive, then start charging municipalities below 5,000. In all, 598 municipalities stand to be affected, municipalities which currently don't pay for their policing directly. At your ministry's own estimates of a cost of \$100 per person per year for OPP services, your ministry stands to save \$142 million a year by unloading the cost on to these small municipalities. Minister, has this phasing-in approach begun? Where do your plans to eliminate free OPP policing stand today?

**Hon David Christopherson (Solicitor General):** Obviously, the member shares a recognition of the importance of this issue as it applies to policing in Ontario. We have not, as yet, put out to the public the government's preferred course of action. We are working on that. It is a priority, and I expect it will be available to discuss with municipalities, police forces and other interested entities very soon.

**Mr Runciman:** Hopefully, the minister is aware that there's been a province-wide order from OPP field operations directing district commanders to look for OPP detachments which could be closed or amalgamated in order to save costs. One of those on the chopping block is the Westport OPP detachment in my riding of Leeds-Grenville. I know there are many others, affecting perhaps most rural representatives in this Legislature. At the same time as this OPP directive has gone out, there's also this general initiative emanating from your office to start making all smaller municipalities pay full freight for their policing.

1440

This is a classic case of putting the cart before the horse. Why close down detachments without settling the fee-for-service issue first? Until local municipalities get their first bill for policing services, when they may choose to stay with the OPP or may want to buy their policing from a nearby municipal force if it looks like a better deal, how will you know which OPP detachments should be closed down or amalgamated? Will you not agree that the rationalization study should be shelved until your ministry resolves the funding issue of making small municipalities pay for their own OPP policing services?

**Hon Mr Christopherson:** The issue of merger and amalgamation of detachments is one that has been

around for a very long time. As the honourable member knows, none of these decisions are ever taken without broad consultation with any of the communities that might be involved. Clearly, the government continues to seek means to achieve our expenditure control plan goals through ways that do not affect service. In fact, the member will know that indeed some mergers and some amalgamations provide an enhanced service to communities while at the same time saving administrative costs.

We are not at the point of making or in the position to make any decisions. In fact, the member will have my assurance and this government's assurance that long before any such decision would be taken, there would be the kind of consultation with the communities that there needs to be. As I said in my previous answer, the issue of equitable financing in policing is also a matter that will have the opportunity for public input.

#### ALCOHOL AND DRUG ABUSE

**Mr George Mammoliti (Yorkview):** My question is to the Minister of Health. Madam Minister, I think you know some of the problems that have plagued my particular community in terms of drugs and crime over the last few years. I am pleased to stand today and tell you that crime related to drugs in some parts of North York, more particularly the Jane-Finch community, has gone down almost 50% over the last couple of years.

While I stand and, I guess, brag to a degree about the drop, I'm also concerned about a drop in funding that has come out of your ministry in one area of Jane and Finch. You will know that over the last little while, there's been a group that has done some pretty good work in and around that area. Not only do they need to be praised in the Legislature, but I think they need to be recognized in terms of funding. The Black Creek Anti-Drug Focus Coalition, which was formed a number of years ago, got about \$520,000 to conduct its work in that area, and for the most part it has been positive.

**The Speaker (Hon David Warner):** Could the member place a question, please.

**Mr Mammoliti:** The funding has been dropped. Can you explain why the funding has been dropped recently?

**Hon Ruth Grier (Minister of Health):** Let me say to the member that I certainly know of his long-standing interest in this subject generally and the work that he has done for the Ministry of Health, particularly with respect to his own constituency. But I have to say to him that the funding that was provided to the Black Creek group in 1991 was a one-time two-year funding project to allow it to implement prevention and early intervention strategies for reducing alcohol and drug abuse.

He is absolutely right. It was a very effective project, and in recognition of that, far from allowing the mandate to expire in March 1993, we have indicated that we

will continue to fund the project for another three years. I grant you that the funding has been somewhat reduced from the initial pilot project, but I'm happy to tell him that along with this continuation of the project, we understand there will be some increased support from the Addiction Research Foundation. I hope to work closely with those groups and make sure that the good work his constituents have done can continue.

**Mr Mammoliti:** I'm pleased to hear the last part of your response; however, I'm still concerned that the drop in funding might hurt the community in the long run. In terms of the prostitution that was going on two or three years ago in and around the Jane-Finch area and the amount of work these people have done to get prostitution off the streets, in relation to helping the addicts and the prevention and early intervention you talked about, you know as well as I do that you need funding for that sort of intervention. I'm afraid the cut in funding might hurt the community in the long run. Minister, do you think the amount of money you have allocated recently will put a dent in the community and the good work the coalition has done?

**Hon Mrs Grier:** I share the member's concern that the work of volunteers and of groups will only be effective if it is supported by core funding, and that's why I'm very pleased that it has moved from a two-year, one-time project to something to which core funding is now being provided by the Ministry of Health. Because of that security that has been provided, I think the project has already entered into and has the potential for even more interesting partnerships, and the one with the Addiction Research Foundation is indeed one of them. I can, I think, assure him that the good work that has been begun so effectively will be able to continue.

#### COURT FACILITY

**Mr Ron Eddy (Brant-Haldimand):** My question is to the Chair of Management Board of Cabinet. Mr Minister, you will be aware of your ministry's involvement, through your leasing services branch, in a lease proposal for a new 38,000-square-foot provincial court facility in Brantford. The consortium was awarded the project on August 18 and occupancy is scheduled for April 1994. Commencement of this project is already behind schedule. Yesterday, the media reported that the Ministry of the Attorney General acknowledged that the proposal would be cancelled. Rumour surrounding your government's mismanagement of this proposal call has been circulating for weeks. It appears to be true.

Minister, has the proposal accepted by your ministry been withdrawn, and if so, will you explain how the matter of proposals of lease for this urgently needed provincial court facility in Brantford will now proceed?

**Hon Brian A. Charlton (Chair of the Management Board of Cabinet):** First of all, I'm not sure that the member's question accurately reflects the present

circumstances. My understanding is that the Attorney General has not suggested at any point that the project will be cancelled. In fact, the project will go ahead. There had been a tendering process and there was a successful bidder. Unfortunately, that successful bidder is now withdrawing from the project. In very short order, hopefully, we will be able to either move down the list of other bidders or retender the project and get on with it as quickly as we can.

**Mr Eddy:** Mr Minister, I feel that the citizens of Brantford and Brant county have been misled on this issue. They have been unable—indeed, I have been unable—to obtain credible answers from the member for Brantford or from officials of your ministry's leasing services branch.

In order to expedite this project with a view to providing urgently needed accommodation in 1994, will the minister consider issuing an addendum to the proposal call to the several qualified bidders that were not accepted but have invested many thousands of dollars?

**Hon Mr Charlton:** Let me deal first with the part of the member's preamble regarding the member for Brantford and some weeks of rumours, because those weeks of rumours were in fact precisely that: rumours. It was on October 5, just two days ago, that the successful bidder informed this government that they were not going to be able to proceed, so it's only within the last two days that we've had anything concrete from that proponent.

In terms of the latter part of the member's question, we are considering those options and a number of others and we will turn this one around just as quickly as we can so that the delays on the project are as minimal as we can accomplish.

#### VISITORS

**The Speaker (Hon David Warner):** The time for oral questions has expired. I wish to draw to the attention of the House and indeed invite all members to welcome to our gallery two visitors who have sat through the question period: the Honourable Alby Schultz, MLA, from the Parliament of New South Wales, Australia, who is joined by his wife, Gloria Schultz. Welcome to our assembly.

1450

#### MOTIONS

##### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon Brian A. Charlton (Government House Leader):** I move that Mr Mammoliti change places with Mr Klopp in the order of precedence for private members' public business, and that notwithstanding standing order 94(h), the requirement for notice be waived with respect to ballot item 28.

**The Speaker (Hon David Warner):** Is it the pleasure of the House that the motion carry? Carried.

#### PETITIONS

##### CASINO GAMBLING

**Mr James J. Bradley (St Catharines):** I have a petition which was given to me to present by the former member for Victoria-Haliburton, Mr Drainville, who quit the NDP. It reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas the Christian is called to love of neighbour, which includes a concern for the general wellbeing of society; and

“Whereas there is a direct link between a higher availability of legalized gambling and the incidence of addictive gambling; and

“Whereas the damage of addiction to gambling in individuals is compounded by the damage done to families, both emotionally and economically; and

“Whereas the gambling market is already saturated with various kinds of government-operated lotteries; and

“Whereas large-scale gambling activity invariably attracts criminal activity; and

“Whereas the citizens of Detroit”—

**The Deputy Speaker (Mr Gilles E. Morin):** There are too many conversations taking place. I encourage you to leave the House if you want to continue them.

**Mr Bradley:** “Whereas the citizens of Detroit have since 1976 on three occasions voted down the introduction of casinos into that city, each time with a larger majority than the time before;

“Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the government of Ontario cease all moves to establish gambling casinos.”

I am affixing my signature to this petition because I agree with the sentiments contained in it.

**Mr Alvin Curling (Scarborough North):** I too have a petition to the Legislative Assembly of Ontario.

“Whereas the Christian is called to love of neighbour, which includes a concern for the general wellbeing of society; and

“Whereas there is a direct link between the higher availability of legalized gambling and the incidence of addictive gambling (Macdonald and Macdonald); and

“Whereas the damage of addiction to gambling in individuals is compounded by the damage done to families, both emotionally and economically; and

“Whereas the gambling market is already saturated with various kinds of government-operated lotteries; and

“Whereas large-scale gambling activity invariably attracts criminal activity; and

“Whereas the citizens of Detroit have since 1976 on three occasions voted down the introduction of casinos into that city, each time with a larger majority than the time before;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario cease all moves to establish gambling casinos."

I affix my signature to this because I agree with it.

**Mr Tim Murphy (St George-St David):** I have a petition addressed to Dennis Drainville, who quit the NDP, addressed to the Legislative Assembly of Ontario.

"Whereas the Christian is called to love of neighbour, which includes a concern for the general wellbeing of society; and

"Whereas there is a direct link between the higher availability of legalized gambling and the incidence of addictive gambling; and

"Whereas the damage of addiction to gambling in individuals is compounded by the damage done to families, both emotionally and economically; and

"Whereas the gambling market is already saturated with various kinds of government-operated lotteries; and

"Whereas the citizens of Detroit have since 1976 on three occasions voted down the introduction of casinos into that city, each time with a larger majority than the time before;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario cease all moves to establish gambling casinos."

It's signed by various residents of the city of Windsor, and I affix my signature to this.

#### LONG-TERM CARE

**Mrs Barbara Sullivan (Halton Centre):** I have a petition addressed to the Legislative Assembly of Ontario which reads as follows:

"Whereas the government of Ontario has stated that multiservice agencies, the new single, local point of access for long-term care and support services, must purchase 90% of their homemaking and professional services from not-for-profit providers, therefore virtually eliminating use of commercial providers;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We protest the action to drastically reduce the service provision by commercial providers and respectfully request that the impact of this policy decision, including a cost study, be performed before any further implementation."

I concur with this petition and I have affixed my signature to it.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Mr Sutherland from the standing committee on finance and economic affairs presented the following

report and moved its adoption:

Your committee begs to report the following bill as amended:

Bill 8, An Act to provide for the control of casinos through the establishment of the Ontario Casino Corporation and to provide for certain other matters related to casinos / Projet de loi 8, Loi prévoyant la réglementation des casinos par la création de la Société des casinos de l'Ontario et traitant de certaines autres questions relatives aux casinos.

**The Deputy Speaker (Mr Gilles E. Morin):** Shall the report be received and adopted? Agreed.

Shall Bill 8 be ordered for third reading? There's no unanimous consent. The bill is therefore ordered for committee of the whole.

#### INTRODUCTION OF BILLS

##### HIGHWAY TRAFFIC AMENDMENT ACT (BLOOD-ALCOHOL), 1993

##### LOI DE 1993 MODIFIANT LE CODE DE LA ROUTE

##### (PRÉSENCE D'ALCOOL DANS LE SANG)

On motion by Mr Offer, the following bill was given first reading:

Bill 93, An Act to amend the Highway Traffic Act / Projet de loi 93, Loi modifiant le Code de la route.

**The Deputy Speaker (Mr Gilles E. Morin):** The member for Mississauga North, would you wish to make a few comments?

**Mr Steven Offer (Mississauga North):** Yes, for just a few moments, Mr Speaker.

This bill will prohibit persons under 19 from operating a motor vehicle while having any alcohol in their blood, and the penalty for contravention is the suspension of the person's driver's licence for one year.

We all recognize that if we drive a car with greater than the legal limit of alcohol in our body, we will, on conviction, have our licence suspended for at least one year, and this applies to any person at whatever age.

We're also aware that the age to legally drink in this province is 19 years. However, if a person under the age of 19 breaks that law, in other words, has alcohol in his or her body and is driving a vehicle, there is currently no driving penalty. This bill is designed to correct that situation and will impose a penalty, on conviction, of suspension for one year.

1500

#### ORDERS OF THE DAY

##### LABOUR RELATIONS AMENDMENT ACT, 1993

##### LOI DE 1993 MODIFIANT LA LOI SUR LES RELATIONS DE TRAVAIL

Resuming the adjourned debate on the motion for second reading of Bill 80, An Act to amend the Labour Relations Act / Projet de loi 80, Loi modifiant la Loi sur les relations de travail.

**Mr Murray J. Elston (Bruce):** Oh, there's the time. For a second, I thought I had nine minutes left. Already I've used up five minutes; I'm down to four.

**Mr Chris Stockwell (Etobicoke West):** You're a good speaker. That didn't seem like five minutes.

**Mr Elston:** It certainly didn't seem like five minutes.

When I was speaking on this bill on Tuesday, I had been making some comments about how this is an interesting precedent for the government to undertake, particularly since it purports to stand in favour of democratic organization of workers in the province, because Bill 80 actually brings the government into a position where not only does it decide unilaterally, through legislation, that its provisions will override agreements that have been reached by the women and men who have organized in the construction industry side of the labour movement but it also says that the provisions in this act, Bill 80, will apply even in cases where the provisions here are contrary to those in the constitution democratically established and founded by the trade-labour movement. That is under section 138.1.

It seems to me that anybody here in this House who has any knowledge of the way the trade union movement has organized would have largely looked at that and said, why in the world would you allow a government, any government, whether it happens to be New Democrat, Grit or Tory, to come into this place and unilaterally re-establish the way that men and women, freely organized, have set their business terms in place?

That speaks a lot to the changes that have occurred in the New Democratic Party movement. I do believe that in its initial phases it was a movement. I do believe that the old CCF and its successor, the NDP, were established, each of them, as a reaction to difficult but very slow progress in ameliorating some of the conditions for working men and women in the country of Canada. They affiliated and joined with other organizations that had fought hard and won some advancements to take care of some of those problems that caused death on some occasions, that caused displacement of injured workers, that caused displacement of workers who retired with virtually nothing to fall back on in terms of support for themselves and their families when they came to the end of their working careers.

But here is a New Democratic Party which has unilaterally decided that the Minister of Labour knows better than anybody else in the trade union movement what the constitutions should read like and what the provisions of the settlement of disputes should be arranged to be. That's not proper, in my view. It ought not to be proper in the view of anybody who looks at the free association of men and women in this province to seek after certain social, cultural and economic justice targets.

I also want to note an issue which is very important in my riding, because I have people who are much concerned by section 138.3. They in fact would probably be negatively affected without 138.3, because there was some movement by an international to establish a particular jurisdiction as of May 30, 1992. I understand that the people in my riding probably would like to see this provision, because it protects them against a provision which they see as bad. But here it is being legislated, contrary to the way that labour unions and labour movements have traditionally worked, by the Minister of Labour in a way which I think really defiles the democratic traditions of the labour movement, and I think that is not good.

**The Deputy Speaker (Mr Gilles E. Morin):** Are there any questions or comments?

**Mr Steven W. Mahoney (Mississauga West):** Although the member had only four minutes remaining, I want to congratulate him for the entire speech that he made, both today and the other day, and the fact that he points out, rightly so, that the Minister of Labour is clearly interfering in a democratic process.

There is nothing as democratic as well-organized labour unions, where the people who run to lead them and to represent them have to go and talk to them in small groups, have to attend at union halls. I'm sure members opposite know all about it. If there's anything that's more grass-roots than that, I don't know what it is.

When a senior level of government like the provincial government decides to intervene arbitrarily in the workings, decides to change and ignore a constitution—one of the amendments that we're not allowed to talk about, by the way, actually draws reference to the fact that the OLRB might be forced, if the amendment that we can't talk about carries, when making a decision, to actually take into account the constitution of a local. Can you imagine that? Why do you even have to say that? Should that not be obvious, particularly to members opposite, many of whom, prior to their arrival in this place, worked in small locals and worked with unions that had international parents? You understood the relationship.

Right now, if there's a dispute, either on work or on jurisdiction, it can be settled by the international parent, which has no axe to grind. It can come in and resolve the problem. Under this bill, we're going to have to have a hearing with the Ontario Labour Relations Board. Imagine the increased cost in the bureaucracy. It's absolutely unconscionable. The minister should withdraw this bill immediately.

**The Deputy Speaker:** Any further questions or comments?

**Mr George Mammoliti (Yorkview):** I must admit that I'm not as familiar as perhaps I should be with the

bill, but after listening to the debate, now more than ever, I think I need to sit down and read it inside and out. After speaking to some of my colleagues, even in my own riding, I think I need to do that. We do need to listen to what some people are saying in this chamber, and I think we need to look at perhaps setting a precedent in this particular case. That's the concern I would have, the language around the bill.

The other stuff around the bill, in speaking to others in my riding who are in favour of the bill, I would speak in favour of as well. I think we need to look at the good the bill does as well. I don't think we should dwell on only the negative but perhaps look at the number of workers and the number of representatives who are out there who want this thing to pass, and somehow try and resolve the issue.

At this particular point in time, to be perfectly honest with you, I'm very neutral. I really do need to look at the bill and make up my mind. I can't be more honest than that. In terms of the setting of a precedent, I too am concerned about this. I certainly don't want governments, in particular this government, setting a precedent in the future, or other governments perhaps hurting other unions in the future either.

**The Deputy Speaker:** Further questions or comments? The member for Chatham-Kent.

**Mr Elston:** Oh, oh, the right-winger.

**Mr Randy R. Hope (Chatham-Kent):** The right-winger. I've listened to the comments that were expressed by union halls, and I've been a part of the trade union movement since I was a young lad, through my father, when I understood the international perspective. I also understand the independence of Canadians and the independence we chose back in 1985, leaving our international parent and moving to our autonomy as Canadians, because we had different beliefs and different rights.

One of the unfortunate aspects during that whole thing is that we were locked. We were in the hands of the international.

**Mr Elston:** I thought you got yourselves out.

**1510**

**Mr Hope:** No, we were left in the hands of the international. I listened to the member who says his father was a Steelworker, but I also want to make clear that when we were left in the hands of the international parent, the international parent wasn't particularly interested in the Canadian autonomy that was supposed to be there. So we had the opportunity to do what we needed to do.

I've listened to the people from the construction industry in my area who talk about the need for independence, the need to identify themselves as Canadians and to identify themselves in the labour movement, because they believe that in the labour movement, for

some reason, there is an opportunity for change and that the opportunity for change must come.

It's important because when I went through both battles—I went through the battle with the Canadian Auto Workers in leaving its parent, the United Auto Workers, and I was also a part of the United Food and Commercial Workers International Union-CAW dispute in Newfoundland, when I spent some time out there through that dispute. You must understand that through the labour movement there is very dear difficulty in the sister or the local union wanting to leave its international parent. You are in the hands of the international. I believe that the legislation that is provided allows a safe mechanism which will allow transition for people who believe in independence and Canadian autonomy to do so. That's why I support the legislation. I know people have different viewpoints, but I've been through two of them, and I know some of the concerns that are being expressed from the construction end of it.

**The Deputy Speaker:** Any further questions or comments? If not, the member for Bruce has two minutes.

**Mr Elston:** I understand the points raised by the member for Chatham-Kent, but I can also bring him back to my early remarks in this regard: that the easiest defence for this is to wrap yourself with a flag. But the flag you wrapped yourself in on this occasion, on the occasion of the removal by the CAW of its Canadian members to establish its own national union, was done without this bill being put in place. It was done because there was a strength and a will among the women and the men in the CAW, as it is now known, to do it. It wasn't done easily, and I understand that.

What makes me really concerned is the fact that this legislation now overrides the constitutions freely arrived at by any number of generations of labour movement individuals. I'm also concerned because under section 138.6 there is an automatic successorship given to any local union that moves to get away from its parent and then merges with another union. What this looks like to me is that it will allow some larger group of people to come in and swallow up those small local unions. In fact, that's what this is all about, I think.

I think this is about Bob White and the CLC coming in and making sure they can take over all the hard-won victories of the construction trade union movement. This is all about making sure that Bob White gets his way and gets more members in his CLC. This is in a way, somebody told me the other day, a payback for Bob White staying quiet and loyal with respect to Bob Rae and his group of New Democrats, who have mostly abandoned all the principles for which the movement once stood.

**The Deputy Speaker:** Are there any other members who wish to participate in this debate?

**Mr David Ramsay (Timiskaming):** I would like to start off this debate by commending the member for Yorkview for his comments in regard to the debate so far today. The member for Yorkview has really been listening to the debate, and the member for Yorkview, as some people might not realize, is a member on the government side. Actually, I think we had for a minute there a bit of a glimpse at this place really starting to work well. We were actually starting to listen to each other. Instead of government people just supporting bills and opposition members opposing bills, we actually had a government member there for a second who was willing to listen, who was willing to consider some points that were brought up in this discussion. That's why we have institutions such as Parliament.

I know there's a lot of frustration about Parliament and maybe the time that is wasted here, but I think this afternoon was an example where, through listening to some of the points that were being raised by the opposition, at least one government member is willing to consider some of the points that have been brought forward. I think that's very healthy and really what this place should be more about. We should be having more thoughtful discussion, more thoughtful debate rather than just defending legislation on the government side and attacking legislation from the opposition side. I think there may be some hope in Parliament, in this Legislature, yet. I think that was good.

My colleague from Bruce was really starting to hint in his closing remarks that we're not quite sure what the motivation of government is in regard to this particular bill. The reason we aren't sure of what the motivation is is that there's been no adequate explanation from the government side as to why this bill is necessary, and it's doubly puzzling to us when we see union after union, local after local, opposed to this legislation.

In fact, my colleague from Mississauga West, Steve Mahoney, who is our Labour critic, has told me that 85% of the union members involved in this particular piece of legislation, primarily the construction union people, are opposed to this bill.

We are really surprised that a government that is supposed to be consultative and going out there and talking to people and, especially as New Democrats, which this government is, to be talking to labour people, is bringing forward such a bill where there's such opposition to it from the union movement. So we're really not sure and it's a bit puzzling.

What we really believe is going to happen is that, as my colleague has suggested, we're going to start to see some unrest within the union movement caused by the passage of this bill. We're going to start to see some unrest between locals, we're going to see some unrest between parent organizations and locals, and we may start to see some unrest caused by the potential of raiding that now can go on because this bill allows for

a 60-day period after the completion of a collective agreement when other unions could come in and try to take over that local.

I'm not sure that this is a healthy environment to start to create here. It would seem to me that some of the stronger Canadian-based unions are going to want to flex their muscles, as we've seen in this past year, going after other unions that have been organized by other parent bodies. That concerns us because we don't need unrest in the Canadian labour movement. We don't need unrest because we don't need any other type of unrest that could add as a detriment to the redevelopment of the economy of this province. That should be the paramount, important item on this government's agenda: How do we redevelop this economy? How do we get this economy moving again, getting women and men back to work?

Yet what we see as one of the top items on this government's agenda is how we facilitate union locals to move to Canadian unions or to become independent. That's one of the top bills on this government's agenda and that's not going to breed some certainty in the labour movement or in the economy of this country. It could be construed as being just one more element of uncertainty that may prevent the investment of dollars into Ontario that could create the badly needed jobs that we so desperately need here in Ontario to get our women and men working in this province.

It's amazing, when you start to look at the list of labour organizations that are against this bill—I know my colleague from Mississauga West has read out many of the names of these unions. The list is endless here. I have a list of 22 unions in Ontario that are against this particular legislation. I'm going to talk to some of those, but I'd like to get into some of the details from some of these unions who have written in to our Labour critic as to why they are against and to the questions they are asking this government as to why it is so bent on pursuing this Bill 80.

I have a letter here that's been written on behalf of the International Brotherhood of Electrical Workers. This comes from the international vice-president, Ken Woods. It's a very long letter and I'll paraphrase some of this, but I'd like to put on the record why this union is against this. You'll get a sense from this letter too of the scope of this union, the size of the membership of this union and how many workers are involved in this particular union:

"Dear Sir,

"This letter is being written on behalf of 14,000" electrical workers "in Ontario, and the entire...memberships in Canada (67,000), to make you aware of the most unprecedented, ill-conceived piece of legislation ever presented in the western world..." This is coming from a labour leader here in Ontario, Bill 80, first reading back in June of last year.

"Never in the history of the free trade-union movement has a government offered such a regressive piece of legislation. Bill 80 is totally biased in that it is directed at only AFL-CIO building trades unions; the industrial unions are not covered by Bill 80. As a member of the opposition you should be asking, why?"

Many of my colleagues have been asking that very question this week and last week, especially the member for Mississauga West, our Labour critic.

"The proponents of Bill 80 speak with a great deal of fervour that the bill will return democracy to the building trades local unions. Notwithstanding the fact that the writer is unaware that democracy had left the building trades local unions, it has to be noted that not one of the proponents of the bill has democratically secured a mandate from their respective local unions to pursue support of Bill 80."

**1520**

The letter goes on and it's just one example of some of the opposition to this Bill 80. The writer continues: "As a member of the opposition you should be asking why are the AFL-CIO building trades unions, and only those unions, being exposed to a 365-day-a-year reading period, the result of which will only bring chaos and instability to the construction industry.

"As a member of the opposition you should be asking why were not the predominant players in the construction marketplace, ie, the Provincial Building and Construction Trades Council and the Construction Industry Advisory Board, not consulted prior to the introduction of Bill 80."

Here again is a major union in Ontario, the electrical workers, saying they have not been consulted about this bill and are wondering why the necessity to proceed with this bill.

"As a member of the opposition you should be asking why the necessity of this unprecedented intrusion into the internal affairs of only a certain number of trade unions." I think that's a valid question and a question that's been echoed in this Legislature over the past week of this debate.

The other question here being asked is, "You should also be asking, is the Ontario Labour Relations Board better equipped than trade union leaders with the background of over 100 years of experience handed down from generation to generation to make decisions which should be made internally by those leaders."

What we're talking about here is that, as people well know, trade unions in this country are democratic institutions. The leaders are democratically elected. Their bylaws, the laws that govern their constitutions, are democratically agreed upon. I'm sure the members opposite obviously know that, as many of them—I was also at one time a member of the auto workers union as I worked on the assembly line at Ford. Those members

understand that unions are democratic. We're wondering why there's this intrusion into that democratic function. It would be like the federal government passing a law that would intrude upon the democratic functioning of this institution. We would think that's wrong and I would hope government members, if that ever happened, would agree with us to fight that intrusion into our democratically elected institution.

I have another letter here from the International Brotherhood of Painters and Allied Trades, the Ontario Provincial Council. This is a copy of a letter to the Premier of this province. This writer says:

"I have had the opportunity to review the letter sent by the 'committee in support of Bill 80' dated November 16, 1992. I must emphatically express to you the concerns I have with the contents of the letter and with the legislation of Bill 80 becoming reality.

"Some local union memberships have expressed publicly support of Bill 80; however, they are unaware of the detrimental impact to them personally and as a membership. The claim that members are reluctant to support Bill 80 is reality as this debate of the bill continues to grow; however, not for reasons stated in the letter, but memberships actually realize the negative effects Bill 80 may have on them, and is not an act of fear from international parents."

Here is another major union, the painters and allied trades, again expressing not only their discomfort but their opposition to this particular bill.

Attached to this letter is a list of other unions that are opposed to Bill 80. They read: the asbestos workers provincial; boilermakers provincial; bricklayers provincial; carpenters Canadian conference; millwrights provincial; ironworkers provincial; plasterers provincial; teamsters provincial; pipefitters provincial; electricians (only two Toronto locals support); labourers (12 out of 15 locals against); painters provincial; elevator constructors provincial; sheet metal (six out of 11 against).

Area councils, opposition to Bill 80: Hamilton, Windsor, London, Ottawa, Kitchener, St Catharines, Toronto (section 138.6), Ontario Provincial Building Trades and Ontario Allied Council.

The list seems to go on, and again we're wondering why we are proceeding with this. Why are we taking such valuable time of the Legislature to be debating a bill that there seems to be so much opposition to? Why is it that this government seems to be ramming this bill down the throats of working men and women in Ontario who are affiliated with the construction trades, and why is this government not pursuing some economic development legislation, some job stimulus legislation?

**The Deputy Speaker:** I'll interrupt you for a minute, the member from Timiskaming. Stop the clock, please. I just want you to recognize the former Prime Minister of Canada, Mr John Turner.

**Mr Mahoney:** Now he's going to talk for ever.

**Mr Ramsay:** Now, Mr Speaker, I will puff up and certainly pay attention to my speaking notes even more so than I was.

**Mr Steven Offer (Mississauga North):** For 15 glorious minutes.

**Mr Ramsay:** I would certainly like to welcome Mr Turner to our Legislature. It's a pleasure to have him here. He's facing the right way if he's working on the federal campaign, because those are the people over there who need to be converted; and some over here, for sure, the way things are going. But we seem to be doing well and it's nice to see him alive and well and active. It inspires people like us who are still in politics that there's a great life after politics and that's an inspiration to all of us. We wish you well. Thank you very much, Mr Turner, for being here.

I'd like to continue with some of the letters that we have received as the Liberal caucus about why these labour unions are against Bill 80. I have a letter here from the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada. This is a copy of a letter that went to the Minister of Labour, and the letter reads:

"Dear Minister:

"Re Bill 80:

"The United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada, Local Union 800, represents 440 plumbers, steamfitters and their apprentices in all sectors of the construction industry in northeastern Ontario and wishes to comment on the proposed changes to the Labour Relations Act found in Bill 80. Local 800 is profoundly concerned with both the manner in which the government prepared the bill and the substance of the bill."

I would like to say that there are many workers in my constituency who are members of this local, as this local goes through all of northeastern Ontario from Sudbury and it includes the great riding of Timiskaming, which I'm proud to represent.

"Local 800 and a great many other unions were not given an opportunity to make representations to the government before the bill was introduced in the Legislature. This completely undemocratic action is contrary to the ideals of parliamentary government and the New Democratic Party.

"Even a brief understanding of labour history would show how vital international unionism has been to the betterment of the lives of Canadian workers. This is as true today as it was 100 years ago. Local 800 understands the importance of a strong international and the united association would be devastated without one. For example, if disaffiliation occurred in Ontario, how could

our members find work in, say, western Canada by using their travel cards? They could not."

Being a representative from northern Ontario, I'd like to dwell on this point for a minute, because my colleague from Kenora, Frank Miclash, has brought to my attention that many of the workers who work in the construction trade right in Kenora, in the town of Kenora proper, the whole Kenora riding, Dryden, Red Lake and other communities in northwestern Ontario, find much of their work from time to time in the large metropolis of Winnipeg. That is the main city that northwestern Ontarians gravitate towards for cultural events, sometimes shopping or Winnipeg Blue Bombers games, but also for some of the economic work that's essential to keep northwestern Ontario going.

**Mr Mahoney:** Mr Turner has a cottage there, too.

**Mr Ramsay:** I understand that too. I wasn't going to say that on the record, but I'm sure you heard that, Mr Speaker, and some of the guests in this Legislature today have frequented Lake of the Woods, I understand, in the Kenora area; a very beautiful part of the world.

If this bill is to go forward and a local in that particular area chose then to disaffiliate itself from the international, those workers who are now part of that local would not be able to work in Winnipeg any longer because they no longer would hold the international card. I'm wondering why the government is pursuing this. If you had, say, a few people on the union executive who were able to convince a few people that this should happen, it could penalize a lot of good men and women working in that particular trade in that particular region of Ontario.

It could penalize them by preventing them from being international in scope, by preventing them from going to work in Minnesota on a construction job, or going over to Manitoba or Saskatchewan or another of the western provinces. Basically this starts to isolate us as a province, much like what has happened in the province of Quebec with its very strict rules in regard to its construction trades, which anger us very much here in Ontario because of the implication it has for Ontario workers going into Quebec.

**1530**

I don't think we want this. I think we want our men and women to be free to travel the world, if you will, to seek out work, to seek out economic opportunity, not to limit their horizon and their scope by saying basically, "You can only work in Ontario." That's one of the great ramifications of the passage of this bill. I don't know why the government is pursuing this, but it's going to begin to limit the opportunities of many of our working people in Ontario. I think it's wrong and I wish you would go back and talk to these unions and make sure you bring forward a bill that you've got some consensus on, that you've got some agreement on from these unions.

Again, we're very puzzled over here as to why you are pursuing that, and I would hope that you would reconsider, just as the member for Yorkview said earlier today in this debate that he would start to reconsider some of the language in this bill. I would hope he would do that and that he would be able to convince his colleagues of the same.

I have a letter here from the Ontario Allied Construction Trades Council. It says:

"Dear Sir:

"It has come to the attention of the Ontario Allied Construction Trades Council that Bill 80 has been scheduled for second reading during this current session of the Legislature.

"We would like to reiterate our unconditional opposition to Bill 80 in its entirety. This position was arrived at by a democratically moved and seconded motion which carried by a 12-to-1 margin.

"We hope that you and your party will be guided by the vast majority of building trades organizations, councils and locals. We have expressed opposition to this onerous and divisive bill.

"If you require further information or assistance in this matter, please call us."

I know our critic has done that, as he's been in touch with all of these locals of these unions about this to get a further, deeper understanding of this bill.

From the Laborers' International Union of North America:

"We have been notified that there's a possibility that Bill 80, reforming construction labour unions in Ontario, will go to second reading" in October of this year. "Bill 80 interferes with building trade unions' ability to govern themselves democratically." Again, another union is saying that this bill is an intrusion in the democratic workings of labour movements in Ontario.

"Bill 80 interferes with union constitutions and bylaws.

"Section 3 of the bill, which deals with jurisdiction, will impede many unions' ability to successfully administer local unions' jurisdiction. The Ontario Labour Relations Board is already swamped with cases," a very good point indeed, "and it certainly does not need internal local unions' geographic and work jurisdiction disputes as well."

That's true. The Ontario Labour Relations Board is bogged down. It's swamped with all sorts of matters before it that deal primarily with cases between employers and with organized men and women, and we certainly do not need to impose upon that board that is trying to settle those disputes, to burden them now with internal union matters. I don't know why we are referring that to them.

"This bill must be defeated," the letter continues.

"This is a very destructive and regressive bill that centres out only construction unions, who have far less problems than the rest."

Again, we don't hear from the government members, and as I'm going to be concluding in a few minutes, I would ask, in the comments on what I have said, for some examples of where the problems are, because we here would like to fix the problems also. We are here willing to work with you—

**Mr David Winniger (London South):** We certainly have heard enough from you. Even John Turner—

**Mr Ramsay:** Maybe Mr Turner can speak too, if that's what the members of the government would like to hear. But we would like to hear from you. What are some of the examples and what are some of the problems that have provoked the introduction of this bill? That's what we're asking, because then we could give that consideration, like the member for Yorkview has, and maybe we could then support the bill.

But you haven't given us that ammunition. You haven't given us that evidence for us to give it the consideration that probably the bill deserves. We don't really understand that motivation, so you'll get members, as was previously stated in the House, accusing you of other types of motivations, because we don't have up front what the true reasons for the introduction of this bill are. That's what we want to hear, and I certainly would invite members of the government to instruct me, to inform me and my members as to the motivation for this. What are the reasons? What are the problems? Give us a couple of examples.

I've heard of some examples where people have asked for retribution and have had the situation corrected; that there seem to be the mechanisms in the labour movement itself or by going to the judicial system to have situations corrected. As far as we know, there are no outstanding problems. There are mechanisms in place today to correct all outstanding disputes. Again I'd ask the members to give us some examples that we could maybe give further consideration to as well.

I know there are other members in the House who wish to speak to this bill, so I will give the floor to another member and await comments, possibly, from some of the government members about why they feel this bill is so necessary.

**The Deputy Speaker:** Questions or comments?

**Mr Mahoney:** I want to thank the member for his comments. I think he struck on probably the most significant question in this whole debate. It's a very simple question: Why? Why is the government interfering in the duly democratic process that allows trade-labour movements and that allows unions to make decisions that conform with their own constitutions? Why does this government, why does this Labour

minister feel that he has to somehow come along and interfere in that process?

We all know, as I said before, that unions are grassroots. They elect their business managers in the construction trades.

Good examples were given by my colleague about the problems that are going to occur in relationship to cross-border jobs. I used the example the other day of a job work order from an American local in Pittsburgh. Don't shake your head. This was a work order hiring 50 Canadian workers for a construction job in the United States. They will be providing them with green cards, they'll be paying their transportation expenses and they'll be paying them \$20 an hour on top of that. You pass this bill and you put that kind of agreement in jeopardy. How can you do that?

I know that you're blindly opposed to free trade, but are you opposed to the people you purport to represent having an opportunity to work in the United States? They're mobile; they have to be able to move across borders. Not only is this an American-Canadian problem, but what about the workers on the pipeline out west? What about the workers in Manitoba? These examples were used.

I just don't understand why you're doing this, and what you're going to say—

**Mr Charles Harnick (Willowdale):** What's your position on free trade?

**Mr Mahoney:** Why don't you be quiet for a minute? What you're going to see—

**Mr Harnick:** Tell us about free trade.

**Mr Mahoney:** I'd be happy to tell you about free trade. What you're going to see is more pressure put on all of you in your constituencies than you've seen since Bill 40, and you're going to regret it.

**Mr Hope:** I'm glad Bill 40 was brought up as part of the conversation. I believe the Labour critic for the Liberals at that time was talking about the expression of individuals to have the rights, the freedoms that prevail in their local unions or in their workplaces. What this legislation clearly does is to allow the local union to have stronger rights and a stronger say in its workplace. That's exactly what this legislation provides for.

Parents, internationals, and I listened to the members talk about the council trades—I guess you'd better check whether they're actually elected or appointed business representatives. You'd better check that out to make sure, because let me tell you, you may have misquoted a factual part of an information process that's there.

I think it's very important that what this legislation is doing is allowing a mechanism. It's not saying that all local unions are going to do it, but there are local unions that don't believe what their international is doing is for the justice of their workers. In a local

union, you're there to actually represent those workers affected in that workplace. An international represents a total body, but a local union has more responsibility and more accountability to its membership.

You talk about the pulls and the strings that international representatives do, that international representatives somehow put pressures on people. But I think what it does is allow the local union an opportunity, and the opportunity is in the legislation.

Not everybody is going to use it. Some might be happy with their parent, but some might not be happy, and they need to allow that jurisdiction to do it. The jurisdiction will be here, because we also talk about the jurisdiction, the province-wide agreements, the interference with the local trade union, the successor rights, which are very important to a lot of the trade unions, and also the administration of benefit plans, which has directly affected the local unions. It gives the autonomy. I'm not saying they have to use it, but the availability is there for them to use it.

1540

**Mr Alvin Curling (Scarborough North):** I too want to commend my colleague from our party, the member for Timiskaming, who made an excellent point. One of the things I think this government is caught up with is to bring legislation into the House that is ill-thought-out and not really even properly researched; we have seen that with many bills. The fact is that when they have put it forward and found out that it is not effective, what we have is poor legislation, which is worse than no legislation.

As my colleague has stated, the majority of the people are against this. They do not want this legislation. If you feel you're going to measure your performance at the end of the time by how many bills you have rammed through, if you say that is successful, what you have done is bring about more chaos to the whole process of governing.

As you know, the municipalities, which are in such turmoil now because they cannot get clear directions from the provincial government, are wondering where all this is going. My colleague from Timiskaming has stated it very clearly. We ask those on the government side to explain why it is you are bringing this legislation in. The puny aspect of what the member on the government side has just tried to explain, why we have this legislation, is not sufficient. We feel that as soon as we know the purpose of the legislation, the individuals can proceed in that direction in order to go about administering their jurisdictions.

I want to say again that I commend the member for Timiskaming for bringing forth some clear directions, hoping that they can do better in bringing out legislation in the future.

**Mr Stockwell:** There appears to be some fly in this

ointment. I heard the member from Chatham and I've heard the minister and I've heard some other members of the government caucus speak to this issue. The dilemma you're faced with, as well as myself and I'm sure the member for Yorkview is faced with, is that if this is such a good bill, why is there such widespread opposition to it out there?

I don't pretend to know a lot about the union movement and the union organization, but I've met with some people who speak to me about this piece of legislation. I direct it to the member from Chatham. They tell me that there's 85% opposition to this bill. They tell me there's widespread disenchantment with this bill. I look across the floor at the parliamentary assistants to the Minister of Labour and I don't think they've totally bought into this bill, from the responses and the kind of positions they've put forward.

If this bill is such a good, workable, understandable, acceptable piece of legislation, I ask the member from Chatham, why do the rank and file brothers and sisters not buy into this piece of legislation? The member for Timiskaming was pointing out in very clear terms where the problems lie. The member for Mississauga West and members in our caucus have asked, why is this needed at this time?

We get a lot of flag-waving and a lot of group hugs about Canadianism and parents and internationals, but the rank and file brothers and sisters out there whom you purport to represent are saying to me, to them and I believe to you as well: "We don't want this piece of legislation. We don't need this piece of legislation." Apparently, the only people who want it are the senior labour people, who are getting bought off in some instances, it's said in some circles. To the member for Chatham, who seems to make this argument in the face of all logic, all the preparedness that his union brothers and sisters have brought forward, I say, if this is so good, Mr Hope, why do they all disagree with you?

#### *Interjections.*

**Mr Hope:** Have you been through this before?

**The Deputy Speaker:** Order. The member for Chatham-Kent, order please. The member for Timiskaming.

**Mr Ramsay:** There's been a bit of a commotion in the House, most of it emanating from the member for Chatham-Kent. The reason is that members here have not been satisfied that you've answered the question I was proposing in my speech, and that is, why? Not only why and what are the motivations for the existence of this piece of legislation, Bill 80, but what are the examples of where the functioning of construction unions in this country and locals in this province are not working? We just don't have those examples. If we had those examples, then we could see the rationale for this legislation. We could work with you on it and come up

with some legislation that would improve the situation for working men and women in Ontario. But we have 85% of those people who are going to be affected by this against and we don't have any examples of where it's going wrong, so we're really quite puzzled as to what the motivations are.

That's why you get members making accusations across the floor as to what other motivations there might be, because you haven't given us a reasonable rationale for bringing this forward. You're really opening the door for those sorts of accusations, which is really sad. We would hope that the government would have, as I said before, consulted with the people affected—and that's all the construction unions and locals in Ontario—worked with them and given a full and complete explanation as to the motivations and the rationale behind this legislation so that the opposition could be working with you to improve this legislation rather than wanting to block it and oppose it, as we do, because we feel the people that you're trying to help in this don't want this particular help.

I know the member for Chatham-Kent was upset that maybe he didn't have a second chance to answer some questions. I'm sure that after the next speech he could get up in his two-minute session and give us his enlightenment.

**The Deputy Speaker:** Are there any other members who wish to participate in this debate?

**Mr Robert V. Callahan (Brampton South):** It's somewhat incredible that we're debating an issue of this nature in this House at a time when the people of Ontario, the people of Canada, basically have no jobs or are losing their jobs and are losing their homes. They're looking to government to try and create an atmosphere in society where we will get out of this recession and they'll be able to get back to earning a livelihood, get back to having their homes and so on. Yet what we're debating here today is another tinkering with the labour relations aspect of this province.

We could understand Bill 40. That was fundamentally and ideologically of the New Democratic Party. We can't understand this one, because what you're doing, essentially, is creating within the family of labour the formula and the recipe for unrest. We can ill afford that at a time when, as I said, the province of Ontario is going through—people talk about it as a recession. It's not a recession; it's a depression. The reason we're not jumping out of windows is because we have the good fortune as Canadians to have safety nets in place that will take us, hopefully, God willing, through this terrible, disastrous economic downturn.

I really have to try to figure out why the Minister of Labour wants to set the cat among the pigeons at a time when we are in this terrible, disastrous situation, particularly with the construction industry. When you look at some of the measures that have taken place by

the government of the day, the New Democratic government, they have been done without a great deal of thought.

Just to deviate for a second from the bill itself, we saw what happened when the Minister of Finance decided, in his budget, to put an 8% tax on insurance. We saw that this one move, without thinking about it and without looking into the issue fully, had the net effect of making the first-time home buyer plan obsolete. I'm sure many of you have read the press on this, the fact that if you're going to be a first-time home buyer and you're putting down \$5,000, I think it was, you're going to be have a high-ratio mortgage, which is going to mean that it has to be insured under CMHC regulations. You add the 8% to that insurance fee and you have put people out of the market. You've just driven all those young people who, at a time when interest rates are at their lowest, when the prices are at their lowest, might have had an opportunity to get a house right out of the market.

1550

I suggest to you that you're doing exactly the same thing here. You're bringing in a piece of legislation that is not going to help the construction industry. It's going to cause difficulties within the construction trades. It's going to in fact make the atmosphere for our community and our province somewhat less desirable. It probably will have an impact as well on people who are planning on building, because they'll be concerned about the network and the image of the construction industry in Ontario. We don't need that. What we need to do is sit down and figure out how we are going to create stable environments to attract investment to try to turn around this terrible depression so that we don't have to do as Kim Campbell says: wait until the year 2000 to get jobs for those people out there who are desperately seeking jobs.

I wonder if things like this—and I'd hate to think that this was the motive behind all this, but we see the present federal Conservative government pushing forward with the Pearson International Airport privatization. They're doing it in the death throes of their government because they know they won't have an opportunity to do it afterwards. I have to ask myself the rhetorical question, is this the payoff time by the Minister of Labour because he feels he'll never have another opportunity to do this again? We recognize the difficulties that your federal colleagues are having in this election, in terms of perhaps being decimated, and perhaps this has something to do with that. Perhaps it's a swan song. Perhaps it's an opportunity to do everything possible to this province that socialistic ideology calls for because you know you'll never get another chance to do it.

Well, I plead with you and I urge you that as elected representatives of this province your first and foremost

job should be to ensure that your constituents are going to have an environment in which they can live and work without worrying about their jobs each day and worrying about losing their homes. You're not doing that here, I suggest. The people are looking for leadership and vision to get them through these tough times. Your government ignores that. You ignore the pressing issues of the day and you focus your attention on tinkering with this legislation.

When we look at the question of those who are opposed to it, they're opposed to it because the construction industry is a very different type of operation from the usual small business. It has a different makeup. It means that people may work for a week here, a week there, and then they move someplace else. That was the reason for the legislation dealing with construction unions to be that much different, to give them larger geographical areas to represent.

You know, when you think about it, every day we hear something worse about the economic situation. We hear about jobs being lost. We hear about companies moving out of this province. It would be interesting if we could do an independent survey—Independent of the New Democratic Party, the Liberals or the Conservatives—by an independent body to determine just why that's happening and then try to address those concerns, plug those leaks and get us back on track.

I'm certainly not going to represent myself as being independent—I obviously belong to the Liberal Party—but I would suggest to you that it doesn't take a rocket scientist to believe that at least part of that report, when it was brought back, would say government is interfering too much, government is changing the rules too much, government cannot be trusted in terms of allowing business to be able to carry on in a fashion free and clear of government. They see these things. They see this unrest. They see this instability. It really doesn't do much for those people we're supposed to represent in the final analysis. It may win brownie points for the people of the various political parties in this House and you may think it will win you votes in a future election, but in the final analysis what's happening is you're letting the horses out of the barn or you're letting Rome burn while you fiddle, and I urge you not to do that.

It's difficult to try to understand the minister's reasons for bringing in Bill 80. He hasn't told us, really. He hasn't given us a reason. He hasn't given the people who are opposed to it a reason. He hasn't listened to them. I certainly hope there will be opportunities for people to air their views.

Why is the NDP government bothering with this when it should be focusing, as I said, on getting people back to work? We think it's ideological. We're asking you to scrap it and get back on track in terms of building the economy of this province, which Ontarians want. .

You're going to have to study the issue. If you don't do that, then I think all is lost. You've got to find out whether this is really necessary before you go ahead with it, otherwise you'll plow ahead and again we'll have another disaster like the 8%.

That's just one example of the insensitivity. Maybe it's not insensitivity, maybe it's just not being able to run a government. Maybe it's just the neophyte position you've taken over by pure chance that you're not able to understand that for every action there is an equal reaction and you have to look down the pipe in the long run rather than trying to deal with things that ideologically appeal to you, perhaps upsetting other things that are in sync that you throw out of sync.

This bill will mostly benefit Ontario's local union leaders, who gain political and financial control at the expense of the rank and file. That always bothers me. I have a lot of union people who are fine residents of my community. They are sensitive, hard-working people. From time to time you talk to them about things that the union leaders are doing and they say: "Look, I don't agree with that. I don't even agree with having to pay my checkoff to this union." What's happening is that the leadership, these guys who've got the cushy jobs, the people who've got the opportunities to hobnob with the bigwigs, the Bob Whites and so on of the world, they're bringing in and supporting positions that the rank and file don't support one iota.

In fact, that's what you're doing. You're not looking after the rank and file. What you're doing is looking at the question of making a piece of legislation that's going to benefit Ontario local union leaders who are going to gain politically. It's sort of a symbiotic relationship. You believe that by them gaining politically, you gain politically. They're going to gain financial control at the expense of the rank and file, whose individual ability to work in other jurisdictions and to benefit from the protection of a huge international union might be adversely affected.

You're narrowing the scope. Maybe this is in tune with your approach to insularization of this province. Believe it, we can't be insularized. We have to be reaching out. We have to be expanding our trade barriers or we're in deep trouble.

You didn't even bother to consult with the international unions, as far as I know, prior to introducing this legislation. That to me flies right in the face of the entire philosophy that I always thought the New Democratic Party stood for. I thought they stood for consultation. The places when you consult is when you've got an issue that's too hot to handle, an issue you don't want to deal with. You'll send it out for consultation or reports and report it to death. But when consultation is really important and you're bringing legislation into this House that is going to have a significant impact on the people of this province, consultation has to be limited:

just your friends, just the people who agree with you, not the people who disagree with you.

I suppose one of the shortcomings of this whole system, the parliamentary system, is the fact that you people over there have a majority government. We can stand here and urge you and try to bring logical arguments to you as to why you shouldn't proceed on a particular social policy or in a particular direction. You can ignore us. In fact, in most cases I would imagine that if I were now to ask members of the government who are in the House, seven members of the government in the House, if they can tell me what I said, they'd probably say, "First of all, we don't want to listen to you, Callahan," but, more importantly, they're doing other things right now. They're reading other documents. They're not interested in this debate. They're here because they're serving their duty in the House.

It really bothers me that our system will allow us to stand up here—you've heard many members who I think have spoken well on this bill and who are trying to give you ideas and trying to stimulate and get you to move so that the province will not be the one that suffers, yet the system doesn't allow for that. The system allows a majority government to simply go along in its usual way and vote as though they were joined at the hip. "The Minister of Labour has told us that this is good for us and we'll vote for it." When the vote comes, the whip will say, "Stand up," and everybody will stand up. We've seen what happens when you don't stand up. We've had members here who were chairmen of committees, parliamentary assistants, even cabinet ministers, who were defrocked because they didn't toe the party line.

#### 1600

That's unfortunate, and I think the people of this province are getting fed up with this. The people of this province are crying out for change in this antiquated system, this club—I call it a club. No wonder the people don't like us, no wonder the people distrust us, because they find that their views really don't mean an awful lot. Their views, as expressed by the members of the Legislature that they've elected, don't mean anything. It's just like the voice crying in the wilderness.

I'll be here speaking for the next probably 15 minutes, another member might get up and speak for 15 minutes on this bill, trying to inform the members of the House how they feel this legislation is inadequate, how they feel it's the wrong legislation for this time, and what will happen? It'll be called for third reading after a perfunctory trip out through the province. It may be \$300,000 or \$400,000 to hear from the so-called public. There won't be anything changed in the bill. It'll come back into the House exactly the same way it went out.

I think the people of this province are catching on

that we are throwing their money away and, at the same time, this government is requiring people to cut back from their salaries, to take days off, in order to meet the budgeting deficit that they've created. I just think the people are fed up with that. The people are saying, "Why should I give up money that I require for my family while you travel around the province and spend \$300,000 or \$400,000 listening to the public, and when the bill comes back into the committee not one essential item is changed?" I think they're fed up with that.

You'd better start listening to the people because I'm afraid that's what is happening to your federal counterparts. They're going the route of the dinosaur because they weren't listening. You're going to go the same route because you're not listening, particularly those people who come from ridings where there's perhaps heavy construction industry. These people are not going to forget what you're doing with this bill and unless the minister listens to them and gets their views and tries to resolve this—what the construction industry unions are telling you is, "Leave it alone; we can do it within the family; we don't need you." For some reason, the New Democratic Party government has this fixation that: "Nobody else can do it as well we can. Government is the source of all benevolence."

It seems to me that in eastern Europe that attitude prevailed, and even they've gone the route of the dodo bird. I suggest that your ideology is certainly behind the times. If you can't recognize what's happening in eastern Europe, then you've got problems.

**Mr Kimble Sutherland (Oxford):** It didn't work for David and it won't work for you.

**Mr Callahan:** I'm not even going to respond to that comment because I'm not even sure you know what this bill is all about, so it really doesn't matter.

In any event, to me, the bill being introduced doesn't even seem to be in line with what I would have expected from this government. You've already turned off many of your union supporters, both on the provincial level and at the federal level. Why try to do more?

I suggest to you that the best thing you could do—and you'd probably get great accolades for this—is that you could pull this bill just like you pulled Bill 50. When Bill 50 was before the House, you had the good sense to understand that it was not appropriate to be able to tell people how much medical care they could get or to tell their doctors how many times they could visit the doctor if the doctor felt it was necessary they visit. You were smart enough to realize that was a dumb bill and you pulled Bill 50. I suggest you do the same thing with Bill 80, or at least go back to the drawing board, or at least take some more consultation—

**Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader):** Bill 50 is proceeding.

**Mr Callahan:** It was my understanding that 50 was certainly being amended significantly in order to take out the more salient features.

**Hon Mr Charlton:** That's because we listen.

**Mrs Barbara Sullivan (Halton Centre):** It was because you made such a mistake in the first place.

**Mr Callahan:** What it means is that you screwed up at the start, and after you'd been told about it, you had to then revamp and think about it and redo it. I suggest that you may be in the same boat here.

I hope the parliamentary assistant for the Ministry of Labour is in the House. Yes, there he is: Mr Cooper, the member for Kitchener-Wilmot. I hope you're taking all this down to take back to the minister, because he's missing the boat entirely. You've obviously gotten correspondence from various international construction unions, the International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers, which has participated in a massive letter-writing campaign. Are you just ignoring them?

**Mr Hope:** What letters? I didn't see any.

**Mr Callahan:** You didn't, eh? Then I guess they feel it's not worth writing to you people.

**Mr Hope:** Maybe they'll write to those who know what's going on.

**Mr Callahan:** The member for Chatham-Kent has always been, as far as I can figure out from his speeches in committee or in the House, strongly union-oriented. Here, in the course of this debate, he's supporting, obviously, Bill 80. He doesn't understand why he shouldn't or what amendments have to be made to this bill. That's why they're not writing to him. Obviously they've written off the member for Chatham-Kent. They've said: "He used to be heavily involved with unionism, but since he got his job in the Legislature and his opportunity to travel around perhaps in chauffeur-driven cars, he's above us. He's no longer on the same level with us."

**Mr Stockwell:** Bob, they're not worried. They're just going to take him out of the nomination.

**Mr Callahan:** Yes. But I have to give credit where credit is due. There have been at least one or two people from your party who have had conscience enough to recognize that the things that are being said by the opposition are in fact contrary to your views, your beliefs, be they political beliefs or whatever, and have decided to go and sit independently or have voted against the government.

But that means there are an awful lot of you people over there who just don't care. It's a cushy job, there's no heavy lifting, you're out of the rain, the salary's pretty good and you figure you'll have it for another two years, so that's okay. "We don't have to listen to the people who elected us. That doesn't mean anything. An election is not important. We've had enough time.

We may have built up some other type of expertise." I don't know what it is. Perhaps it's voting joined at the hip. That could be a good act if you can perform that outside this place. But it really boggles the mind that you'd bring this in at this time.

I sometimes wonder if the Premier and the four cabinet ministers and the spin doctors down the hall have got a poll that says this is a popular piece of legislation, because that's the way the place works. You know that. It doesn't work on the basis of what's good for the citizens of Ontario; it's what the big wheelers, the spin doctors, who aren't even elected, who are not responsible to anybody, down the hall on the second floor with the polling results are saying, that "Bill 80's a good issue; there are enough people who support us who are going to support this, so we're going to bring it in," never looking at what impact it has on the rest of the people of this province, not caring what impact it has on the rest of the people of this province. In fact it becomes a very centralized or a very centric, authoritarian government.

I really begin to wonder how many people in this province and in this country understand that parliamentary democracy is not democracy at all. It's the height of undemocracy, because it puts in the hands of certain people, a small group, the power to control the lives of the people of this country, of this province: the power to control whether they will have a job or not have a job, the power to control whether they'll keep their house or they won't keep their house, the power to control whether or not they'll take off 14 days this year, next year and the year after even though they've planned their budgets in terms of having to have that money to pay their mortgage, the powers to retroactively do that.

#### 1610

It amazes me. This government has passed so much legislation that has this retroactive arm that goes back three years or two years or a year before the bill has even been thought about. I find that absolutely incredible and I'm surprised somebody hasn't challenged that type of legislation, because it's historically against all of the equitable principles of the common law from which we develop our system of government, our rule of law.

**Mr Mike Cooper (Kitchener-Wilmot):** That sounded like justification for Bill 80.

**Mr Callahan:** The member says it's justification for Bill 80. As far as I can figure out, there is no justification for Bill 80 except that you want to give payback to the local union leaders.

Forget about the rank and file. It doesn't matter if that has an impact on them that's disastrous. The average rank and file person is not going to understand why this bill is going to hurt him. The construction worker is not necessarily going to understand why it's going to hurt him, but he does know that the NDP

government is not listening to his leaders, who are saying, "This will limit your sphere of jobs; it will limit the opportunities you have; it will make you less portable in terms of being able to move from job to job."

It will in fact destroy the very reason that construction workers were given an entirely different approach to unionism, because of the nature of their job, the nature of the work, the geographic positions they worked in. In one swipe of a pen, that's what you're going to do. You don't understand that, though, I don't believe.

This may very well have an impact on whether workers in Canadian locals can work in other jurisdictions. Of course, I guess that doesn't matter because right now you're in a fight with Quebec and you figure: "Well, so what? They can't go into Quebec now because Quebec won't let them in, so let's not worry about it. Manitoba, that's a long way away. There probably isn't any work going on up there, so we won't worry about it. We'll keep everything insularized."

I think the province of Ontario had that luxury probably 10 years ago when the economy was good. We don't have that luxury any more. Ontario is fast becoming one of the have-not provinces. I hate to say that, but a lot of it has to do with the policies that are being brought in by the government in power, the labour laws. I would imagine that probably if you were at Pearson airport you could have heard people getting on the plane and leaving or driving across the border to Buffalo, because that's what you're doing: You're creating an atmosphere which makes life difficult for business; then the jobs go and it just worsens things. I suggest you take a good hard look at that.

I haven't lost my place; I'm just taking a little bit of a pause. Could I have a glass of water, please?

The opportunities for people to be heard on this bill I think will be very interesting. It'll be interesting to see whether the Minister of Labour decides to consider amendments. He dropped a couple of them on the table, as I recall—I haven't seen them—five. I'm not the Labour critic, but I understand they're not terribly significant. They don't necessarily alter the objections by the construction industry certainly.

**Hon Mr Charlton:** That's not what the folks out there are saying.

**Mr Callahan:** Well, it'll be interesting, because if the construction unions consider that those five amendments are adequate to cover the problems that they've seen, we'll soon hear about that. But I certainly haven't heard that.

I want to close by saying to you that this is the type of bill in which there are logical reasons for amendment, logical reasons for not necessarily just following the vote of the chief Pooh-Bahs. I applaud one of the

members. I can't remember which one it was, but he said, after hearing some of the discussions, that he is going to give closer reading to the bill. That's at least a person who is going to make an effort to try to decide what's in this bill that's good and bad for his constituents. That's the type of listening I like to see.

**Mr Pat Hayes (Essex-Kent):** I thought you were going to tell us you were going to read it now.

**Mr Callahan:** I can't remember Mr Hayes's riding, but I wonder if he's read it.

**Mr Hayes:** I know more about labour than you'll ever know.

**Mr Callahan:** I see. Well, not this bill, you haven't. If that's the case, I challenge him to stand up after I'm finished and tell us what the bill means.

**The Acting Speaker (Ms Margaret H. Harrington):** Now we have time for questions and/or comments.

**Mr Sutherland:** I'm pleased to rise and respond. The member from the Brampton area has said, "What are the reasons for this bill?" Let me tell you, there are many reasons. It has been cited many times by members who have spoken.

My colleague the member for Kitchener-Wilmot cited examples of two locals where the internationals had come in and put them into trusteeship without just cause. Actually, my father was a member of one of those locals at the time.

The member for Brampton says, "Why do we need to do this?" We need to do that so that the individual members of that local who have voted for a certain leadership, who have carried on their activities in a proper and appropriate fashion and have decided the direction of that local, all within their bylaws, all in a very appropriate way—we need to pass this piece of legislation so that those people and their rights within that local are protected. That's what this piece of legislation is all about, and that's really where the crux of the issue is.

I don't know why several members of the opposition can't seem to realize that, can't seem to understand that those individual members' rights within that local need to be protected. That's what this bill is about, and it provides a balance.

It doesn't say that if they're doing things inappropriately, if there's illegal activity going on, the international can't come in and put them into trusteeship. That would be just cause. That's what the bill's all about: finding a more appropriate balance between what individual members of a local want and, of course, what some people who weren't elected by those local members, based in an international union, may think is in their best interests.

To me, that's a pretty basic, fundamental understanding, and all the justification you need for supporting this bill.

**The Acting Speaker:** Are there any other members who wish to participate in questions and/or comments?

**Mr Hope:** The member opposite stood up and said "very few people given all this power." That's why this legislation, because currently in the international sector are a very few people who have a lot of power and who are doing things that are not considered in the Ontario sector as being fair to the membership.

To give you some examples in a letter, one is dealing with the jet of one of the international unions, taking it to New York on New Year's Eve, running up the international's credit card of \$7,200, letting a friend use the jet to travel to Europe for a month, and it also being impounded in Spain for narcotics, then going to Japan and being impounded—for what? Narcotics.

Looking at the consultant fees that are being paid out, and also looking at—if it wasn't for the United States Department of Justice and the United States Department of Labour intervening on some of this stuff, a lot of this information wouldn't be coming out. But also \$27 million of per capita tax dollars were collected last year but only \$200,000 of it wasn't spent. Shocking: \$27 million being allocated or brought in and only \$200,000 not being spent. There is something wrong with the jurisdictional aspect.

When you talk and you make the comments about what you want to do, and that what you're fearful this bill will do is allow a few people strong power, what this bill does is allow the autonomy of local unions to understand where their pension dollars are going, where the allocation in the investment aspect is. I was sitting on Bill 40, and some of the construction workers talked about investing back in the province of Ontario. But in this jurisdiction, in the international jurisdiction, they have no say, because it's held by a few individuals who are not addressing the local concerns of local construction workers.

When the member says in his comments about this bill providing power to a small group of people, look what is currently happening where a lot of internationals have a lot of power and local unions are left out without their membership having a say in the jurisdiction that goes on.

1620

**The Acting Speaker:** Are there any other members who wish to participate? I recognize the member for Scarborough Centre.

**Mr Curling:** Scarborough North, the wonderful place and the great riding of Scarborough North, Madam Speaker.

My colleague here put the question very well in order to explain why I believe it should be on the table and why we should have legislation in that concern. The member for Chatham-Kent expressed himself, if I heard him right, that with the amount of corruption involved

within those areas, we need laws to make sure that the international bodies should be—

*Interjections.*

**Mr Curling:** If we talk about people taking jets illegally and all this kind of stuff, anything like that, illegal practices, these are corrupt practices if you don't follow procedures. If I understand the member properly, and we want the legislation to clean up the international unions, which I don't know of; he should be much more familiar with it. The other member sitting beside him, Pat Hayes—I don't remember his riding—also said what he had forgotten in unions, I wouldn't even remember. The fact is they're quite familiar with union activities.

I think that unions have served very well nationally and internationally. My colleague asked very explicitly to give some reasons why we have Bill 80. My feeling too is that it's quite unnecessary. Many of the unions are saying they don't want it. You have rifts within your unions. I think much of this consultation could have resolved many of the issues. But again, typical of this government, we must put legislation down to measure their success. Whether it's bad, poorly drafted, ill-defined legislation, they've got to put it forward.

You still have not answered the question. It's not everything that should have legislation. We beseech you, don't start ramming legislation here unless it is properly consulted and properly defined, and still you have not justified the reason for this legislation.

**Mr Stockwell:** It seems to me that this piece of legislation is, to use a double negative, not not salvageable. I think the member for Scarborough has made a good point, and I think if the government picks up on this, there is some salvageability, if there is such a term, for this piece of legislation.

I don't think the two parties are that far apart, those in opposition to this piece of legislation and those in favour. If you did go to some true consultation and offered up some legitimate amendments, you could get a piece of legislation that would be widely endorsed and uniformly accepted.

The problem is that I honestly think you use the word "consultation," but you don't understand the definition. It's much like "eradicate." I know you use the word "eradicate," but I don't think you know what it means, because you said you would eradicate food banks. That didn't happen. So when you say "consultation," I think you go to meetings and I think people talk, but I don't think you listen and then adopt or try and accept and put into practice what you've heard. You simply go with headstrong attitudes that, "We're right and you're wrong and this is the way it shall be."

If you did truly go to consultation on this piece of legislation, I think you would have widespread support within the unions affected to adopt an acceptable agreement between all parties. This doesn't seem to me like

it should be, in the private sector vernacular, a deal-breaker. There's a deal here somewhere, and I think you could get 100% adoption if you just gave a little, if you just agreed a little rather than being so entrenched in a position that's unsaleable—a little private sector talk.

**The Acting Speaker:** The member for Brampton South now has two minutes to respond.

**Mr Callahan:** I'd like to address the member for Oxford's concerns. I wonder if he knows all unions, non-construction, internationals, Canadian unions, public service and the CLC, have the ability to impose trusteeship for a variety of reasons, although Statistics Canada figures show it happens very seldom.

I might add as well, in response to the member for Chatham-Kent, that he has told me today in this Legislature that the reason he wants this legislation is because the union officials heretofore who have had affiliations with unions in Canada are dishonest because they use the funds inappropriately.

**Mrs Sullivan:** He says they're corrupt.

**Mr Callahan:** If he says they're corrupt—I mean, the member for Chatham-Kent should know that they're corrupt; he's been with the union movement for a long time. If that's the case, what does he mean, just simply by bringing in Bill 80 that the people to whom these moneys are going to be transferred aren't going to act in the same fashion? I wonder. I don't see that. People are either honest or they're not honest, and if they're going to use the funds inappropriately, they will.

You've just made a condemnation of all international unions throughout the world, that they're all criminal, unjust. I would want to see you make that statement outside of this House. I would want you outside the House to make that statement, that the reason you want Bill 80 passed is because unions are corrupt and they use the moneys inappropriately. If that's the case, well, then, we have a real problem in this country and in this province and I suggest perhaps maybe we should disband unions if you have no trust in them—

*Interjections.*

**The Acting Speaker:** Order. Would the member—thank you. Are there any other members who wish to participate in the debate?

**Mr Elston:** On a point of order, Madam Speaker: You stood up with 15 or 20 seconds left because there was some unruly activity going on, and then really stopped him from finishing his remarks. I would ask you to allow him to finish his remarks. I just don't quite understand why you stood up and let the time on the clock expire. That seems to be punishing him, and he wasn't engaged in the—

**The Acting Speaker:** Thank you. To clarify for the member, I do appreciate your concern. I believe the member was finished.

**Mr Callahan:** I sat down, Madam Chair, because I

saw you standing up, and I assumed that was the end.

**Mrs Sullivan:** On a point of order, Madam Speaker: I believe that when you rise in your chair, the microphones at the desk of the speaker are turned off. As a consequence, the remarks of about 20 to 30 seconds of a two-minute response, one quarter of the response, were therefore not recorded for Hansard nor for the public.

**The Acting Speaker:** If we have unanimous consent, I believe it was five seconds when I looked at the clock when I stood up.

**Mr Stockwell:** Unanimous consent for five seconds.

**The Acting Speaker:** That's right. Okay. Do I have unanimous consent of the House? No, I do not.

Are there any more speakers to this debate? Seeing no more speakers, the Minister of Labour has moved second reading of Bill 80, An Act to amend the Labour Relations Act. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed to the motion will please say "nay."

In my opinion, the ayes have it.

I declare the motion carried.

**Mr Elston:** Madam Speaker, there had been an agreement that this vote would be deferred, and I expected the House leader for the government to have stood and made that point.

*Interjections.*

**Mr Elston:** I didn't want her to declare the motion to be carried. We don't have enough people for the deferred vote here.

*Interjections.*

**Mr Elston:** Have we got enough? Okay. Madam Speaker, I just wanted to make you aware of the fact that we didn't want you to declare the motion carried. That was the problem.

1630

**The Acting Speaker:** The procedure is in order. The motion has been carried.

*Interjections.*

**The Acting Speaker:** It is up to the members to have five members stand. I will put the question one more time.

All those in favour of the motion will please say "aye."

All those opposed to the motion will please say "nay."

In my opinion, the ayes have it. Call in the members.

*Interjections.*

**The Acting Speaker:** "Pursuant to standing order

28(g), I request that the vote on the motion by the Honourable Bob Mackenzie for second reading of Bill 80, An Act to amend the Labour Relations Act, be deferred until immediately following routine proceedings on Tuesday, 12 October, 1993."

MUNICIPAL STATUTE LAW  
AMENDMENT ACT, 1993

LOI DE 1993 MODIFIANT DES LOIS  
RELATIVES AUX MUNICIPALITÉS

Mr Hayes, on behalf of Mr Philip, moved third reading of Bill 7, An Act to amend certain Acts related to Municipalities concerning Waste Management / Loi modifiant certaines lois relatives aux municipalités en ce qui concerne la gestion des déchets.

**Mr Pat Hayes (Essex-Kent):** I'm very pleased to introduce Bill 7 on behalf of the Honourable Ed Philip, Minister of Municipal Affairs, for third reading, an appropriate bill to help mark Waste Reduction Week in Ontario.

Bill 7 gives municipalities increased powers to develop and operate comprehensive waste management programs, particularly the 3R programs. It also makes clear that there is a continued role for the private sector in waste management. The certainty provided by this bill should encourage economic investment and is part of our plan to put Ontario back to work.

We received valuable input on this bill at the standing committee on general government from a number of interested parties. In particular, I wish to acknowledge the contributions of the Association of Municipalities of Ontario and the Ontario Waste Management Association. They have helped develop our fair and balanced piece of legislation I am bringing forward today.

**Mr Chris Stockwell (Etobicoke West):** On a point of order, Madam Speaker: I think we should have a quorum.

**The Acting Speaker (Ms Margaret H. Harrington):** Would the clerk determine if there is a quorum.

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**The Acting Speaker:** A quorum is now present. The member for Essex-Kent has the floor.

**Mr Hayes:** Actually, I'm pleased in a way that the member for Etobicoke West did call for a quorum, because I think this is such an important bill that more people should be here for this great occasion.

This bill is one of many elements of Ontario's waste reduction plan. We believe that not only is it possible for Ontario to hit our target of a 50% reduction in waste by the year 2000, but that it is possible to do it in a way that makes good environmental sense and good economic sense.

I'd also like to thank all the members who were on

the committee for their participation and cooperation. Especially, I'd like to thank the opposition critics, Ron Eddy and Bernard Grandmaître, on their efforts in bringing this to where it is today and also the critic of the third party, David Johnson, for his input and cooperation.

I think it's very important that the committee was able to sit down and work together for a common goal. I know we had a fair number of amendments—I think something like 22—to this bill, and it was unanimously passed by the committee to send this for third reading. I certainly appreciate all that and hope that we can get on with passing this bill as soon as possible to continue the cooperation we have on both sides of the House.

**The Acting Speaker:** Are there any comments and/or questions? Seeing none, are there any other speakers who wish to participate in the debate?

**Mrs Barbara Sullivan (Halton Centre):** I have some interest in Bill 7, having lived through in my own community a rather treacherous process leading to the development of a landfill site over a period of years and also having watched our local municipalities as they introduced, with enormous public support, the recycling and reduction programs that have meant so much and have met with popular support in our community.

As you know, the Association of Municipalities of Ontario has long called for more powers with respect to waste management. Indeed, I have a news release which was issued on April 21, 1993, by the AMO calling for clear and adequate municipal legislative authority for waste management. The AMO suggests that such authority is critical if municipalities are to respond to the challenges of today's waste management system, which no longer involves just the traditional collection and disposal of waste but also the recycling and composting of materials.

I want to address the issue of the system of waste management, but before I do that I want to walk through some of the experiences we in Halton have had as we've come to terms with looking at waste management as an integrated system and requiring an integrated system.

Some 15 to 20 years ago it became clear that there were not enough landfill sites in our community and work began to establish a new landfill site; 15 to 20 years later, after much consultation in the community, after enormous community splits, after the expenditure of more than \$100 million, we finally have reached the point where we have established a new landfill site in that community.

There are still problems associated with that landfill site. There are still complaints with respect to the impact on local property owners, on occurrences. By example, when a cell is being pumped out, are the other local wells in adjoining communities being affected, are

the natural springs being interfered with and so on? There certainly is not an end yet to the controversy associated with the location, the cost and the community splits associated with that landfill site.

During the course of that period of time, Halton and our local municipalities were in fact enlightened about looking at other components of waste management. The recycling programs had an early introduction with high popular support in our local municipalities and there was a clear public indication of support for actions that were being taken in Oakville, in Burlington, in Milton, in Halton Hills with respect to the introduction of recycling programs.

1640

Halton was one of the first municipalities to be involved with the recycling committees and the waste management association with respect to introduction of the blue box program and was certainly right there in the forefront when the first blue box grants were made available to municipalities. I want to suggest to you that one of the singular problems with this bill that we have before us is that there is no information or knowledge as to what will happen to those grants, and I will speak to that shortly.

While the landfill site selection was going on and while our municipalities were also being involved in the introduction of recycling programs, we have had an interesting conundrum facing our community as well. Indeed, I was quite delighted to see one aspect of the bill. When the consolidated revenue board made a decision with respect to the site location for the landfill in Halton, it provided two directions to our region. The first was to establish a landfill; the second was to begin work on an energy-from-waste plant.

You will know that the previous Minister of the Environment, through a policy decision that in my view was based on ideological grounds and had nothing to do with environmental reasons, has ensured that the energy-from-waste plants are not proceeding. I was delighted to see that this bill includes energy from waste as part of the options that are now available to municipalities for local decision-making.

The other thing that I was delighted about in connection with this bill is that it looks at an integrated approach to waste management, that landfill isn't separated here and composting here and toxic waste here and reduction here and energy from waste there. In fact, what we are looking at is an integrated system, a managed approach to waste management. I think that is something that has been missing from many of our waste management decisions in the past. We have too frequently approached waste management issues on a one-issue basis, and therefore the integration, by example, of developing markets for recyclables has not been put into the context of overall waste management planning.

The size of the municipality, which will now have the power to organize and manage waste management, may well be itself a problem. I was not a participant in the public hearings and I don't know how much of an issue this became, but one of the problems, as you well know and I think members of the Legislature know, that we have had in ensuring that our recycling programs have been not only useful but effective and cost-effective is in terms of the establishment of the market for the recycled products. One of the things that concerns me and I hope that we will see some benefit with is that some of the municipalities in fact may still not have the critical mass that will indeed ensure a dollar recovery appropriate to the recyclables that are collected in the community.

For my own part, I am very positive, having the opportunity for our local municipalities to, for the first time, offer the same programs. When I do my householder, advising my local constituents and local residents in Halton of what their municipalities include in their blue box programs, I provide one list for Burlington, one list for Milton, one list for Oakville, one list for Halton Hills, because each of the local municipalities currently or in the recent past have been collecting different products for recycling. I think that the option of having Halton-wide consistency in the recyclable collection is a very positive one, and I do believe that it will add to the critical mass and will contribute to the reach into markets in terms of product sales.

The caution I bring is that there may be some municipalities that aren't moving into the regional system, as I expect mine will be, and they will not have the critical mass and therefore will not have the return because they will not be able to find markets for their products.

The question of who pays for all of the waste management issues has been one of continuing concern for many, many years. Whether the question of who pays becomes a question of a public utility, a public service through the tax base, whether the user pays, whether the producer pays, has been a major part of our debate for many years.

We see that this bill will enable a municipality to introduce new fees, akin to a new tax, and there may be several different kinds of approaches that may be taken. There is a pilot project that I believe was completed in Peterborough with respect to a fee per bag placed out. In my community and in several other communities there have been limits placed on the number of bags for residential collection of garbage that can be placed at the curb and an additional charge for bags which exceed that number.

There are packaging protocols, which in fact are federal-provincial, and although I believe this province has been slow in ensuring that those protocols are brought to the fore, I believe that they have had already

an effect on the packaging of products and on the producers and industries with respect to the amount of waste that's generated through packaging.

What I think is still to be questioned, particularly since the bill does provide an option, which I also see as a favourable one, of including private sector involvement in the collection and disposal of waste and treatment of waste, whether it's reduction, whether it's reuse, whether it's recycling, whether it's energy from waste, is the cost the municipalities will impose on either the collector, ie, the contractual relationship that's established, or the resident, who will see a new fee, a new cost to his own functioning and home life when other costs are already proceeding to be expanded in an extraordinary way, whether it's hunting licences or drivers' licences or additional costs which will soon be associated with our health card system. Certainly a new cost per household, per resident, is one that I think municipal politicians will have to face some community concern about as that's introduced.

The area that I have some concern with—and once again, my problem in raising this issue may be because I was involved in another committee when this bill was before committee—relates to the role of the inspector. I am concerned about the potential for conflict of interest with respect to an inspector who is a municipal inspector and therefore may have a conflict of interest if it is a municipal site to be inspected. Whether the equivalency of demand will be made on the municipal site I think is something I'd like to hear the minister speak to.

#### 1650

I have a situation in my constituency relating to the landfill site where a resident, a farmer, has brought concerns to me and to the regional municipality with respect to his well and how that well is functioning since the landfill site was put into place.

That particular resident has indicated to me and to the region, and I'm certain that the region will respond, that he has had inadequate information from the municipality with respect to operations that are taking place on the municipal site at the landfill. The family's concern, and this is not the first instance where there has been this concern, is that its observations are that the well dries up when cell pumping occurs on the landfill site, that a spring which should have been supplying the well has now been moved away.

With the inspection powers available to the municipality, my question I suppose then to the minister is, would the inspector be just as vociferous in reviewing the municipal site and actions of the municipality as they would be in reviewing the private site? I'm certain that in my own community, these issues will come to a fair conclusion, as they have in the past in other similar circumstances. But I believe it is a question that requires some response and some, I suppose, confidence

to residents, to businesses, that there will be a consistency in the inspections and in actions that are taken by the inspectors subsequent to their activity.

One of the issues I see emerging as this bill moves on in its application I think is an interesting one. We have talked for many years about the technology of waste management as being an economic development tool. We have expertise in our province and we have had pilot projects and other activities that have made us a leader in waste management, and frankly, most of that leadership has come from the private sector.

One of the concerns, as we hope to emerge from a recession that has been debilitating for many of our communities, is that we will be able to attract industry and business from other communities and that the way we attract that industry and business is not simply through one municipality competing with another municipality for the inflow of corporate activity from other jurisdictions, but where there is in fact a provincial component involved in that business development work.

If there is an inconsistency that is serious between the rules and the operations that are established by municipalities in terms of their waste management system, I think there can be a deterrent in terms of the very economic development that we wish to see. I can express those deterrents to you in the very cost of some of the initiatives that may be taken. Perhaps a municipality will see a lower tipping fee, by example, as an alternative to a bounty to attract new industry, business and commercial operations into its community.

In my view, we should not be using the cost of waste management as an economic development tool. The incentives associated with waste management should be incentives associated with making the system work: incentives to reduce, incentives to recycle, incentives to ensure that energy from waste and other environmentally sound technologies are put into place, incentives to ensure that there are cost-efficiencies in the collection and separation of product. But there should not be an incentive that would see one community, ie, one region or one municipality, competing against another region or municipality on the basis of lowering the costs associated with waste management or providing breaks associated with waste management simply to attract a business or industry.

I don't raise that issue lightly, because that has been found to be an issue in American jurisdictions where the tipping fee has in fact been used as an incentive for business location, where the cost of recycling is factored into programs or perhaps there's no charge; perhaps ICI waste is given a break in certain areas. I think that is something we do not want to see here.

I'm quite interested and I want to raise the question with respect to the incentives the province has provided to municipalities over a period of years to ensure that

those municipalities move forward with 3R programs. I believe there are contracts with most municipalities in Ontario for the 3R programs. Those contracts ran, depending on the community, depending on the municipality, for a maximum of five years in some cases, to a maximum of three years in other cases.

When those incentives were first put into place, they provided subsidies of up to 75% for the first year, then 50% in the second year of most of those contracts, and then have moved to zero in the third year, depending on the nature of the contract. My understanding is that regulations which would have accompanied Bill 143, the Interim Waste Authority bill, with respect to the 3R programs were supposed to have been brought forward last April. They have not been seen to this point; in fact, municipalities do not know what to expect with respect to the further incentives for recycling, and the entire question of who pays once again comes to the fore.

It seems to me that the government should be quite explicit in what its intentions are with respect to subsidies for 3Rs, what kind of financial arrangements it will make with the municipalities, given a new component: a new, no longer contractual relationship but an authority that's being provided to the municipalities to move ahead. Given that the regulations under that bill will require—and I quite agree that the materials, for instance, that are specified for the blue box are appropriate materials. My communities are already there; other communities have to do catch-up ball.

I think it is extraordinarily important that the minister come clean now, given that the municipalities under this bill will have less than a year, at this point, to implement the requirements of the bill, unless they're in the north, when they will have a further extended period of time to implement those regulations.

I would like to hear from the minister, as this debate goes on, what the provincial government will in fact pay. What will they offer to the municipalities to ensure that there is not such an extraordinary additional burden placed on local residents and the local property tax base that they will have to cease or slow down many of the valuable waste management system programs that have already been put into place?

1700

I think that refrain is one which will be coming back as we proceed with this debate. I do not believe that we can ask that the property tax base continue to be the sole place for the funding of waste diversion, of the 3Rs programs, of landfilling activities, and therefore some of the authority that will now be able to flow to the municipalities will be welcome. None the less, I think we should have the information before us and the municipalities should have the information before them as to where the province is going to be in participating in funding these programs, which are in fact programs

that are being put into place for a public good.

The sense of the public utility and the public service should not be lost as the authority for handling these programs is turned to the municipality. My view is that the province still has a role to play, and a proper role to play, in the funding of such programs.

The former Minister of the Environment became well known as the Minister for Garbage, you will recall, and for many years during her tenure the issue of garbage dominated environmental discussions in this chamber and elsewhere. There was certainly much action. One of the things I am uncertain about and that perhaps in responses could be addressed is where the responsibility and authority for those dumps that existed in the past that have been covered up and lost will now lie. What role will the municipality have if it takes over authority, and is there any mechanism which ensures that this bill does not require, as a kind of surprise vehicle, municipalities to have to pick up responsibility for old sites? Is the Ministry of Environment still continually active, first of all, in determining where they are; second, in ensuring that there is reclamation of those sites; and third, in ensuring that there are no additional cost burdens on the local municipalities associated with those sites?

I believe there are several others who wish to speak to this bill. Just on a personal note, the hearings as they occurred with respect to Bill 7 would have been interesting to me, and I regret that I was not able to participate in them. I will be supporting this bill in its current form. I don't believe I could have supported it in its earlier rendition, but with AMO and the waste management organizations having received consideration by the government for their proposals for amendment and the participation of our critics for the opposition party having brought changes to the bill, I think I can put my vote on third reading for the bill.

But this is not only a municipal bill, this is also a waste management bill, and many of the issues that I have raised today, some of which may not have been included in discussion, I think should be on the table.

I thank you for this opportunity and hope that some of the concerns and issues that I have raised will be addressed as the debate continues.

**The Acting Speaker:** Are there any members who wish to participate in questions and/or comments?

**Mr Hayes:** There are a couple of points that the member for Halton Centre has raised, very legitimate points. I certainly, and I know many other members in this Legislature, can relate to the member for Halton Centre's concerns dealing with the landfills and selection of landfills and things that have gone on for years and years. I think it's great that we have this type of bill, because the sooner we get on and give the municipalities more authority on the 3Rs, it will certainly

reduce the need for as many landfills that use up as much land as they have been doing.

On the one particular issue the member raised dealing with the inspector, I just want to say that we're talking about new sites and site selections, so as far as policing the sites and doing other testing and that on sites that have already existed or are there now is concerned, that responsibility still lies with the Minister of Environment and Energy. On that particular area, this legislation is dealing with future sites, so I hope I was able to answer the question for the member.

Also, the other issue: When you're dealing with the finance, dealing with the 3Rs, that has not been reduced by the expenditure control plan. That is still there and there is still work going on with the Ministry of Environment and Energy, along with the Ministry of Economic Development and Trade.

**Mr Murray J. Elston (Bruce):** I just want to raise an issue with respect to this bill which is of concern, I think, to areas like mine where searches for waste disposal sites and other things are an ongoing process, a very costly process. In some of my municipalities they have sites which are suitable for use for several years into the future. The concern is being put to me, as the local member, from local ratepayers where a waste disposal site is in existence that they're afraid there will be a movement by the upper-tier government to come in and take over that facility for a nominal cost, leaving the local ratepayers to have footed the bill for the establishment of the facility without really compensating them for the value, I guess it is, that would be established on a location of a suitable site on a free-market basis. It seems to me that their concern is more with the idea that a local municipality may suffer what is virtually an expropriation without a reward at all for some of those local people.

I'm concerned in the sense that sometimes what looks like a good idea in principle really does cause problems for people when it comes down to the money end of it. Right now, what I think we have to do in terms of waste disposal is make sure there is a fair disposition of the costs associated with finding sites that will go a long way into the future.

I know that the member for Halton Centre, whose riding is not dissimilar from mine—she has a much larger urbanized area than I do—would run into some of the same types of problems. I wanted to raise this as an item on the side of the comments that she's already made and also bring that item to the attention of the parliamentary assistant.

**Mr Gary Malkowski (York East):** I've been listening carefully this afternoon and following some of the points from the member for Halton Centre, and some of the points she raises are valid. But I support Bill 7. I think this is rather important on waste management. But related to finance and some of the other

issues we've talked about, it's clear that our principles are that we want to make sure we have control of our expenditures and that we do this in the best way we can.

Bill 7 provides the authority to municipalities to provide waste management services so they can reduce, reuse and recycle in a way that is economically sound and provides the municipalities authority to establish their own system for user fees and also to enter property for testing purposes and for health and safety standards. This is important to check. It's to provide the municipalities with a more flexible way of going in there and doing that, and that helps in the long run, for the future. It's good, because as land gets taken up and as we need to take a look at how we deal with our garbage, without the 3Rs the problem would certainly have been much worse than it is.

1710

We need to make sure we control our garbage for the impact on people's health and on municipalities. For example, in East York this is going to be good. This is going to go a long way in East York to help provide for industry and business and all of those things, to help us reduce our garbage. In the future, I know it'll also have better benefits for the environment, a friendlier environment, a healthier environment for all of us. I support this and I think this will go a long way to helping municipalities.

I've been listening to the points raised by the member for Halton Centre and I'm sure her constructive suggestions for this will go a long way.

**The Acting Speaker:** Are there any other members who wish to participate in questions and/or comments? Seeing none, the member for Halton Centre has two minutes to respond.

**Mrs Sullivan:** I want to respond to the response to my notes about the inspection procedure included in this bill which the parliamentary assistant made. I see that the former Minister of the Environment, now Minister of Health, is in the House now. She will concur, I think, in the view that there has been for many years a sense that there is a conflict between the role of the Ministry of Environment, by example, as being the setter of the rules, the operator frequently of the facility or whatever and then the inspector or policeman associated with the facility. Indeed, my observations were that the same kind of conflict that has been perceived as problematic over many years with respect to the Ministry of Environment will now be transferred to the municipal level, where the municipalities will have the power to make the rules, to operate the system, to inspect the system and police the system and to make decisions then about how to deal with problems that are raised.

There have been strong concerns in the past about actions of the Ministry of Environment in this area. I am not assured that those concerns as they relate to the

municipal area have been appropriately addressed by this bill. I think as the bill moves ahead, that should be very much on the table. This is not a new problem. It is one that should be looked at.

**The Acting Speaker:** Are there any more members who wish to participate in the debate on Bill 7?

**Mr David Johnson (Don Mills):** I'm delighted to rise on this occasion and speak to Bill 7. I've followed Bill 7 through the process, from when it was introduced early in the last session, through the committee stages. I participated fully in those committees and I'm delighted to stand and speak to it at this point.

I might just make one comment right at the top. Perhaps this isn't exactly the way I should have handled it, but the member for Halton Centre did mention that in this particular bill there was some window of opportunity in terms of energy from waste. I concur with her view that this would be a positive consideration for the province of Ontario. This would be a step forward, to look at the possibility of energy from waste, always of course within the context of an environmental assessment and making sure that any way of handling that waste was environmentally sensitive.

However, I think there may be some disappointment, in that reading the bill I don't really believe that's what the ministry intended, that energy from waste would be contemplated. The allusion to energy in the bill is primarily in terms of harnessing energy that is coming out of landfill sites. Out of the landfill sites there is a production of gases. These gases can be harnessed. They can be brought to the top. In many landfill sites you will see them as plumes, I think they call them. The gas is forced through pipes; the gas is set on fire as it escapes so that the gas itself doesn't go into the surrounding community and cause pollution. Rather, the gas is burnt at that particular time.

I can say in the region of which I was formerly a member up until earlier this year, the municipality of Metropolitan Toronto, that we looked very closely at harnessing this energy coming from the landfill sites, for example, in Brock and in Vaughan. Those two landfill sites were studied extensively, and they're in various stages of having this gas not only harnessed within the landfill site itself by a set of collection tubes, not only brought to the surface, but at that point the gas, rather than simply being burnt off and in a sense being wasted, will be converted into electricity. The gas will be burnt, generators will be fired and the energy will be converted into useful electricity, which the residents of the province of Ontario will have the advantage of. This, as I understand it, is what's contemplated by this particular bill.

It's my understanding that the Ministry of Environment, notwithstanding this bill, is still opposed to consideration of incineration of any form, whether that incineration is simply to dispose of waste or whether

that incineration is to create energy. In other words, you can't burn the garbage and create energy. The Ministry of Environment frowns on that and is unprepared to even investigate whether that's an environmentally sensitive alternative to the needs of our waste disposal system.

This bill, though, does provide municipalities with some clear definition of authority for the waste management system: more authority or clarification of authority in terms of collection of waste, in terms of disposal of waste; more authority or clarification of authority in terms of the local municipality role vis-a-vis the role of the upper tiers, the regions and the metropolitan areas.

As we've heard from the previous speaker, the bill also does provide more authority for the municipal inspectors to go into sites that, to quote the bill, "a local municipality considers necessary to meet the requirements of or to obtain an approval under the act relating to the planning, establishment, operation, management, alteration or improvement of a waste disposal site or any other waste management facility, an inspector of the municipality may enter" on to the land and inspect those lands. I think that's a power that will be useful to the municipalities and it's one aspect of the bill that I was very pleased to see.

The bill also raises the possibility of a user-pay fee in the province of Ontario—I'll speak to that at greater length in a few minutes—and it also discourages dumping of waste within the province of Ontario. I am extremely supportive that the bill addresses that particular issue, because the dumping of waste in the province of Ontario is becoming an immense problem.

The problem is generated because the cost of handling waste in the province of Ontario today is so high that many of—I shouldn't say "many," but some of the contractors, some of those who have waste, whether from a construction site or from some other purpose, are finding it too costly for their budget to dispose of waste. Consequently, what they're doing is simply finding wide-open stretches on a highway, in a remote site, and dumping construction materials or other waste, and that is a blight on our environment. It certainly doesn't solve the problem; it simply transfers the problem from them to the owner of the property where the waste is being dumped.

I must say, I've talked to a couple of owners who've had this kind of problem. One person explained to me that he had over 200 tires dumped on his property. Just try to get rid of 200 tires. It's not easy in this day and age. He also had an old fridge. He had shingles and various other construction material.

1720

I can even say, and I think I mentioned this when this bill first came up, that there is a church located around the corner from me. The church has a parking lot and on that parking lot one morning appeared a pile of

rubble from a construction site. Somebody desiring to dispose of the rubble felt they couldn't afford to pay the tipping fee at a bona fide landfill site, so instead they dumped it on the parking lot of the church. This is the kind of thing, unfortunately, that's happening and needs to be addressed, not only in Metropolitan Toronto but across the province of Ontario.

The bill does speak to that and does increase the fines for a first offence for an individual and for a corporation; for a corporation up to a \$100,000 fine if it's convicted of such an offence. That in itself I think is a good step. I suspect it won't solve the problem, but at least it's a step in the right direction.

I want to get back to some of the main issues that were raised during the debate in the committee on Bill 7, a bill to address waste management in the province of Ontario. Probably the number one issue that was raised at the committee was the issue of flow control. Reference has been made by a number of speakers who have preceded me to the private sector involvement in this bill. I would add to their comments that I was very delighted with the interest and the cooperation and the input from the private sector in terms of addressing the needs of this particular bill.

One of the main concerns that was expressed by the private sector revolves around the concept of flow control. Flow control is the right of a municipality to determine exactly how the waste is handled from the collection process, right through the disposal process. The concern of the private sector was that this bill, in the first instance, would have given the right to a municipality to direct the private sector—the private sector primarily collects waste for the industrial sector, the commercial sector and the institutional sector. It would have allowed the municipality to direct the private sector where to dispose of that industrial, commercial and institutional waste and at what price.

This would be a very severe system that would have imposed a great deal of hardship, not only on the public sector collecting the waste and disposing of the waste but on the public sector in terms of generation of the waste in the first instance. It would impose a tremendous cost on the private sector and the institutional sector as well. The hospitals, for example, would have suffered, had that been allowed to go through.

The private sector came to us and it said: "We do not think flow control makes sense. If you implement flow control, it is going to have a severe impact on the cost of waste management in the province of Ontario and there are going to be a lot of unhappy businesses: small businesses, large businesses, institutions. There's going to be a problem." The private sector pointed out that there is a partnership that's involved with the management of waste in the province of Ontario, a partnership that involves, of course, the people of the province of Ontario.

The people have been cooperating and I'm sure will cooperate even to a greater degree by reducing, reusing and recycling their garbage to the greatest extent. But the partnership also involves the municipalities—the local municipalities, the regional municipalities—the partnership involves the province of Ontario and the partnership involves the private sector. The private sector is an integral part of waste management in the province of Ontario.

I'm particularly delighted with the input of the Ontario Waste Management Association. The Ontario Waste Management Association represents over 300 members in the province of Ontario who are involved in one fashion or another in the waste management system of our province.

For example, the members of the Ontario Waste Management Association handle about 80% of the waste that comes from industry, commerce and institutions. They handle 100% of the hazardous waste in the province of Ontario. All the hazardous waste in the province of Ontario is ultimately handled by members of the Ontario Waste Management Association, and 75% of the municipalities of the province of Ontario have some form of contract or other with the Ontario Waste Management Association or some of its members.

I can say from personal experience in the borough of East York, where I was the mayor up until recently, that the private sector, a member of the Ontario Waste Management Association, collected and disposed of the garbage from all of the large apartment buildings in the borough of East York, and that represented fairly close to half the population of the borough of East York. We were given excellent service and at a tremendous price, a very low price, a very competitive price. So the private sector is serving well.

The private sector also operates material recovery facilities that take in waste, separate out what can be recycled, direct that to the proper source where it can be properly recycled and then sort that out from the waste that must be landfill. The private sector is also involved in composting plants, plants that accept compostable material and over a period of time compost that and then market that material at the other end. So the private sector provides a great service to the people of the province of Ontario.

Their concern about flow control, again, was that the municipalities shouldn't have the authority to direct them at every step of the way. Within the private sector there is a great deal of experience in terms of how to deal with waste in the most efficient way and the least costly way, and having municipalities direct them at every step would be an impediment to their experience and their ability to provide the least-cost service.

I'm pleased to say that, with the government, we agreed on an amendment to deal with this issue, an

amendment that gave the municipalities the authority, obviously, to deal with their own stream of waste and deal with it properly, but did not give the municipalities the authority to direct the private sector and allowed for the free enterprise spirit, I suppose, to persist with the private sector.

The precise amendment involved the definition of "waste management system," and it was amended to read that it means a facility, a service, "owned, operated or controlled by a municipality for the management of waste, including the collection, removal, transfer, processing, storage, reduction, reuse, recycling and disposal of the waste." So municipalities would have control over facilities that are controlled by other municipalities but not by the private sector.

That was a great step forward and one of the reasons I'm going to be able today to support Bill 7. With that amendment, the private sector felt that the bill was supportable, and with some other amendments I feel it is as well.

**1730**

Talking about the private sector, since this is an important bill, since this is a bill that involves one of the most important issues before the people of the province of Ontario today, I think it's an opportunity to comment on some of the studies that have been happening recently and some of the new directions that are becoming more apparent as we deal with this issue of waste management.

I would like specifically to refer to a study that was performed by two professors from the University of Toronto, Professor Dewees and a Professor Trebilcock earlier this year. They studied the waste management system. They studied private sector involvement in the waste sector and they studied the public sector and its delivery of the waste management services. They came to some perhaps surprising conclusions after studying both the private and the public sectors.

One of the conclusions was, "We find that the private sector provides more efficient and economical performance in most areas of waste management"—that's the private sector—"and that the quality of the performance is similar to that of the public sector." What these two professors from the University of Toronto are saying is that not only does the private sector deliver a less costly system for the taxpayers of the province of Ontario, but it does so at an equivalent quality.

It says, "Studies of residential mixed waste collection conclusively demonstrate that private sector provision is more efficient, often substantially more efficient, than the public sector provision. A proportion of the cost saving arises from lower wages paid to workers in the private sector, but wages account for less than half, often only a quarter, of the savings."

So the savings result from a number of areas, their

study concluding that the private sector can deliver the service at less cost because the wages paid in the private sector are lower than those in the public sector. This will not be a great surprise to many taxpayers in the province of Ontario. The benefits paid in the private sector were lower than in the public sector. This, again, will not be a great surprise to many people. The vacations were lower, the absenteeism was lower, but the hustle was higher. The efficiency, the desire to get the job done was higher.

To be fair, from my experience the private sector also has access in many cases to equipment that may be superior to what is used in the public sector. Sanitation trucks, for example, in the private sector tend to be much bigger and consequently collect more waste, and there are fewer trips to empty the vehicles because they simply collect more material. That is something I'm sure that many municipalities will be looking at, but on small streets it's somewhat difficult to have the huge trucks that some of the private sector companies use. It would be considered unsafe in many municipalities.

They go on to conclude: "The productivity of the private sector operators is generally greater than that of the public sector. More waste is collected per hour per worker, or per truck-hour, in the private sector."

For residential waste, just to give you some sort of idea of the difference in cost, in terms of the operators that they studied, the cost differential was \$27 a tonne for the private sector, \$50 a tonne for the public sector, over a 75% differential in their study. That's \$27 a tonne for the private sector, \$50 a tonne for the public operators. That's quite an eye-opener, and it's certainly something that, for the good of the tax dollar, I hope will be investigated in many municipalities across the province of Ontario.

That brings us to another main issue that I would like to focus on at this point, and that is the issue of the user-pay system. Bill 7 introduces the concept of a user-pay system. What that means is that once this bill is passed, local municipalities right across Ontario will have the ability to charge each property owner within their municipality for each bag of garbage that they put out for collection. That kind of system is actually in place in some municipalities in the province of Ontario—not very many, but there are a few municipalities that already have in place a user-pay system even today.

The concern, I think, that has been rightfully expressed is that while some municipalities are doing this, they may not have the legal authority. There's some question as to whether they have the legal authority to do what they're actually doing today. I don't believe there are any large municipalities that have a user-pay system, but a number of municipalities have investigated and I am aware that in the United States the city of Seattle does have sort of a user-pay system.

This bill will legitimize a process that's already in place to some degree.

I must say that there is a good side and a bad side, I think, to the user-pay system. In general, it would be my belief that if you use a system, then you should pay the cost as much as possible. The taxpayer today is just being taxed beyond the ability of the taxpayer to pay. There's no question about that. We're seeing an underground economy. One of the eye-openers that I've experienced since coming here to the province of Ontario is to be involved in discussions on how many businesses are using the underground economy, how many businesses are taking cash, and there's no income tax paid, of course. The reason for this is that taxes are so high in the province of Ontario that people and businesses just consider that they're not reasonable. They can't operate in that kind of environment, and that forces the economy underground. So to the degree that a user-pay system would shift the legitimate burden for the cost away from the taxpayers and taxes could be reduced, I think the user-pay system which charges those who use the system with the cost of that system is legitimate.

However, you just wonder how this system is going to work, particularly in large urban centres. What are we looking at? Are we looking at \$1 a bag, so if every week you put out two bags of garbage, that's \$2 a week, which amounts to over \$100 a year? A hundred dollars a year is a significant amount of money for many people. Is that the kind of system we're looking at? Are we looking at the possibility of having one or two bags free every week and if you put out more bags beyond that then you pay for them? There are a number of variations.

The main purpose either seems to be to collect revenue on the one hand or on the other hand to discourage people from putting out garbage. You can well imagine if you were to be charged \$10 for every bag of garbage that you put out at the foot of your laneway, then you would make some very industrious attempts to reduce the number of bags that you were putting out.

1740

My guess is that the main purpose, though, is to generate revenue, is to raise money to pay for the cost of the waste management system throughout the province of Ontario. I think that's the real purpose. In that regard, it might be construed as simply another fee.

In the budget that was implemented in the spring of this year, we had \$2 billion worth of extra taxes and fees. We had not only additional taxes but we were looking at the possibility of a permanent corporate registration fee. We looked at retail sales tax on auto insurance and home insurance. We looked at tax on sand and gravel, and on and on and on it goes, more and more fees. Now we have a user fee on garbage so that when you put a bag out you will pay for that bag.

I think there will be resistance. I think there will be a great amount of resistance. It will be up to the local municipalities right across the province of Ontario to determine if this is the way they want to go or not. But I think when you tack fee on fee on tax to the people and the businesses of the province of Ontario, they throw up their hands and say, "I can't take it any more," and that's when the underground economy swings into full force.

The other aspect that I'll come back to a bit later is that as a revenue generator, unless the cost per bag is very high, unless it's perhaps \$5 or \$10 a bag, the revenue that's generated won't be enough to pay for the cost of waste disposal in the province of Ontario. I honestly don't think anybody has sat down and figured out what the cost is of this whole waste management system that is being proposed in the province of Ontario, right from start to finish. I think we're just chipping away a bit at a time and independently saying, "You must recycle; you must do this; you must collect leaves; you must do this with cardboard" etc, bit by bit, and nobody is working out the full cost and what money will be required to pay the full cost of this system.

On top of that, I'd be very interested to know how a user fee is going to work for apartment buildings. Now, for a single-family home, it's very simple: Whatever is out at the foot of the lane way is what gets charged for the fee. But in an apartment building, how does that work? In the apartment buildings, of course, people simply put their garbage down the chute, it goes into a big bin at the bottom of the chute, and who knows who has put what garbage in there. So how is a user-pay system going to apply to the many apartment buildings that we have in our urban areas?

In the Metropolitan Toronto area, for example, fairly close to half the people who live in Metropolitan Toronto are tenants. The largest proportion of them live in high-rise buildings. How on earth is the user fee going to apply to all of those people, perhaps over a million people, who live in high-rise buildings in Metropolitan Toronto and great numbers of people who live in the cities of Ottawa, Hamilton, London, you name it, in high-rise buildings? There's no guidance in terms of that particular issue. So does that mean the user fee will then simply only apply to home owners but not to tenants? I think there's going to be a problem, and I hope there's some guidance in that regard in the future.

The way this whole system is set up to work, as best I can make of it—and I don't think it's been fully thought out—is that the local municipalities are supposed to somehow charge a user fee to their residents.

How that will be administered I don't know. I've already mentioned the apartment buildings; that's even a greater puzzle. But at any rate, somehow they will charge a user fee to their local residents.

The city of Toronto will charge a user fee to the residents living in the city of Toronto; in London, they'll charge a user fee to the local residents living in London. Then the garbage will be turned over to the regional municipalities and it'll be the responsibility of the regional municipalities to dispose of the waste. That's primarily what happens today, but the difference will be that the regional municipalities will then charge the local municipalities a fee based on the weight of the garbage they receive from the local municipalities—so many dollars per tonne.

That's how the region is going to get its money. The local municipality is going to get its money from the local home owner; the region is going to get its money from the local municipalities. The problem with all that is that beyond the fact that it's going to take more money out of the pockets of every taxpayer, in my estimation it won't raise enough money to pay for all of the costs. I'm going to get into all of those costs in a few moments.

It's been mentioned earlier that the Association of Municipalities of Ontario is in support of Bill 7, and that's true, but the association did also make another comment, and that comment pertains to the funding.

To quote the association of municipalities in the province of Ontario, they said: "The current funding system is not sustainable in the long term. The municipal recycling support program only offers funding for the first five years of the program and the private sector support is also not secure. Second, it focuses on recycling instead of on the first 2Rs of the hierarchy: reduce and reuse."

Here's the Association of Municipalities of Ontario, representing all the municipalities in the province of Ontario, saying that the funding system that we have in place today won't work, and I agree with them, and I think that's a very telling point in the whole consideration of Bill 7.

Bill 7 doesn't speak to the funding requirements, so I can't stand here and say that it's in error in terms of what it proposes. It simply doesn't propose anything in that regard other than to raise the possibility of a user-pay system, one small component of the whole funding hierarchy.

I think if there is a major fault in terms of Bill 7, that major fault is that it doesn't identify where the money is going to come from. It doesn't identify the structure that the Association of Municipalities of Ontario is requesting. They're saying that the present one won't work and that the province of Ontario needs to set in place another one, one that will carry us through into the future.

Part of that funding formula is Ontario Multi-Material Recycling Inc. This organization represents a number of businesses involved in the waste stream. It represents

the daily and weekly newspapers; it represents the grocery distributors; it represents the manufacturers and suppliers of grocery and related products; the bottlers and distributors of soft drinks; the manufacturers and suppliers of plastic products and packaging. It represents that sort of industry. It's called OMMRI for short.

**1750**

OMMRI has been very active in the past several years in terms of the whole waste industry, particularly in terms of the recycling component of the waste industry. OMMRI has funded essentially the blue box program, along with the province of Ontario and municipalities. We are delighted that through the efforts of OMMRI, the province of Ontario and the municipalities, three million households have participated and are involved in the recycling program as of the end of last year in Ontario. That represents about 80% of Ontario's current population which is somehow involved in this process.

The involvement by OMMRI, I might say, is again primarily through the funding. They have contributed \$35 million over the last few years to the funding of the blue box; \$23 million of that has come from the soft drink industry and it has been a major contributor in terms of funding the blue box and equipment to support the blue box system.

The problem is that there's not a bottomless pit in the private sector. They simply can't meet all the needs. There has to be a blueprint for funding of the waste management system. It can't all be put on the backs of the newspaper industry, the bottlers and those in the grocery industry in Ontario. They have contributed \$35 million. They have got the blue box system to the point where we now have 80% of the population of Ontario involved. But there are continued requirements and they are very expensive requirements.

At the present time, just in the municipal field in the blue box area itself, there are probably about \$5 million of outstanding requirements at this time, as we speak right now, that need to be funded. There is no funding available. There needs to be a plan to meet that requirement, but there is none.

I'll comment a little bit further on the cost of the blue box system, just to give members some idea of the enormous problem we're facing and why this needs to be addressed in the near future.

Here in Metropolitan Toronto, and I assume it's fairly similar in other large urban areas, it costs \$223 a tonne to collect the waste from the blue box system; \$223 a tonne is the cost to operate the system and to amortize the capital infrastructure involved in the blue box system. The revenue, by comparison: for every tonne of blue box material, there is revenue of \$34: \$34 in revenue, \$223 in cost. There is a disparity of \$189, the net cost for every tonne of blue box material picked up.

That points out the need to look at this whole waste management system with a very critical eye. How long can the taxpayers continue to subsidize a system that's costing \$189 a tonne, a difference between the cost and the revenue? It just can't happen.

Beyond that, there is revenue support from the province of Ontario. The support from the province of Ontario is 50% of the cost in the first year, 40% of the cost in the second year and 33% of the operating cost of the program in the third year and years beyond. So the province of Ontario will pick up about 33% of the deficit in the program beyond the third year and the municipalities and any other funder that can be involved will have to pick up the rest.

But that funding arrangement, at least here in Metropolitan Toronto, expires on April 1 of next year and there are no commitments to funding beyond that, so the municipalities here in Metropolitan Toronto right now are faced with the prospect of picking up the full tab for a system that's going to cost them in net terms \$189 a tonne. That is a very worrisome prospect.

I know that the mayor of the city of North York was before us to discuss Bill 7 and certainly told us in no uncertain terms that he doesn't feel that the citizens of the city of North York are going to be able to foot that particular cost.

We need a blueprint from the province of Ontario to sort out the costs to collect waste, to recycle it, to dispose of it. We need to include the costs of the composting program, the material recovery program. These are very expensive programs. A composting plant by itself can cost in the vicinity of \$40 million, a major composting plant, which would be required for Metropolitan Toronto to meet the target of the province of Ontario for a 50% waste reduction by the year 2000, and this is the target that all the municipalities are trying to meet, a 50% reduction in waste by the year 2000.

To accomplish that kind of goal, they will have to construct at least one major compost plant to serve the people of Metropolitan Toronto. That plant will cost in the vicinity of \$40 million. Where is that money going to come from? Is that money going to come from the user-pay, in other words, the people who put out the bag, and we're going to charge them \$2 a bag, all the residents of Metropolitan Toronto? Is that money going to find its way up then somehow to Metropolitan Toronto to pay for a \$40-million compost plant?

**Mr Stockwell:** I think not.

**Mr David Johnson:** "I think not," says the member for Etobicoke West, and I think not either. I think, frankly, somebody is going to have to stand back and say: "My goodness, this is a major cost. We can't put this on the backs of the people of the province of Ontario."

I've only talked about a compost plant. To meet the 50% target, Metropolitan Toronto would have to construct at least one, possibly two material recovery plants to separate the waste that can be recycled from the waste that can't be recycled. The cost of these plants runs about \$20 million a plant for a first-generation plant. A very simplistic plant would cost in the order of \$15 million to \$20 million. A more sophisticated plant, which would probably be required, would cost considerably more than that again.

Where is that money going to come from? Again, through the user-pay system? There won't be enough money in Ontario, frankly, to pay for those kinds of plants, not only here in Metropolitan Toronto but scattered across all of the province. Nobody seems to be sitting down and recognizing that and working that out, and that's what disturbs me.

One other way that we've heard through Bill 7, one other way that all of this money is somehow magically going to become available to pay for all the blue boxes, all the trucks that collect the blue boxes, all the compost plants, all the recovery plants that are going to be required, is called product stewardship. Product stewardship means that those who create the waste in the first instance will somehow have to pay for the waste at the end of the day. So if you make a cardboard box and somebody puts razor blades in that cardboard box, then you as the manufacturer of the cardboard box will somehow have to pay a fee because that cardboard box somewhere down the line will have to be disposed of.

**Mr Ron Eddy (Brant-Haldimand):** It sounds like the tire tax.

**Mr David Johnson:** Yes, well the tire tax is another beauty too.

**Mr Hayes:** Tell us about the tire tax.

**Mr David Johnson:** The member for Brant-Haldimand may wish he hadn't raised that. Did that come under the former government? Was that instituted under the former government as the result of a bonfire of a large number of tires?

But I'm glad that was raised, because here again is another tax on the people. We think there's no end, that we can put a user-pay for garbage, that we can put a tire tax on, that we can put a tax on home insurance, a tax on car insurance, that we can put a tax on everything and that we can get away with it somehow.

**Mr Stockwell:** They tax the tax, for heaven's sake.

**Mr David Johnson:** They tax the tax. We'll probably see that in the near future. That tire tax raised over \$100 million across the province of Ontario, and how much of the tire tax was actually spent on research to dispose of—

**Mr Stockwell:** It was \$5 million.

**Mr David Johnson:** The member for Etobicoke West says \$5 million. It was actually perhaps a little bit more than that, but not much. I think \$20 million of over \$100 million was actually committed to research. Now, thank heavens—and I give you credit—you've done away with the tire tax, so that's certainly one good step.

**The Speaker (Hon David Warner):** This might be an appropriate place for the member to break his remarks, and when next this bill comes to the floor of the House, of course he will have the opportunity to resume his address to the House.

Does the government House leader have the business paper for next week?

#### BUSINESS OF THE HOUSE

**Hon Brian A. Charlton (Government House Leader):** Pursuant to standing order 55, I would like to indicate the business of the House for the week of October 12.

On Tuesday, October 12, we will consider an opposition day motion standing in the name of Mr Harris.

On Wednesday, October 13, we will continue third reading debate on Bill 7, the bill we've just been debating, municipal waste management. When that item is completed, we will give third reading consideration to Bill 17, the Capital Investment Plan Act.

On Thursday, October 14, during private member's public business, we will consider ballot item 27, second reading of Bill 56 standing in the name of Mr Harnick, and ballot item 28, a resolution which will, when tabled, stand in the name of Mr Klopp.

On Thursday afternoon we will consider Bill 40, the Community Economic Development Act.

**The Speaker (Hon David Warner):** It being 6 of the clock, this House stands adjourned until Tuesday next at 1:30 of the clock.

The House adjourned at 1802.







## CONTENTS

Thursday 7 October 1993

### PRIVATE MEMBERS' PUBLIC BUSINESS

<b>Land Conservancy Corporations Act, 1993, Bill 92, Mrs Mathyssen</b>	
Mrs Mathyssen .....	3317, 3324
Mr Brown .....	3318
Mr McLean .....	3319
Ms Harrington .....	3321
Mr Grandmaître .....	3321
Mr Fletcher .....	3322
Mr Mills .....	3323
Mr Ramsay .....	3323
<b>Health Insurance Amendment Act, 1993, Bill 44, Mr Morin</b>	
Mr Morin .....	3324, 3333
Mr Jim Wilson .....	3326
Mr Wessenger .....	3327
Mr Henderson .....	3328
Mr McLean .....	3329
Mr Frankford .....	3330
Mr Murphy .....	3331
Mr Mills .....	3331
Mr Callahan .....	3332
Mr McClelland .....	3332
Mr Grandmaître .....	3333

### MEMBERS' STATEMENTS

<b>Health cards</b>	
Mr Morin .....	3335
<b>Forest industry</b>	
Mr Jordan .....	3335
<b>Vineland Thanksgiving Artfest</b>	
Mr Hansen .....	3335
<b>Regulation of tradespeople</b>	
Mr Callahan .....	3335
<b>Raccoon rabies</b>	
Mr Murdoch .....	3336
<b>London 200 Conference</b>	
Mr Winninger .....	3336
<b>Water quality</b>	
Mr Bradley .....	3336
<b>James Wardlaw</b>	
Mr Tilson .....	3337
<b>Red Hill Creek Expressway</b>	
Mr Abel .....	3337
<b>Members' pensions</b>	
Mr Ferguson .....	3337
Mr Callahan .....	3337

### ORAL QUESTIONS

<b>Affordable housing</b>	
Mrs McLeod .....	3338
Ms Gigantes .....	3338
<b>Interprovincial trade</b>	
Mrs McLeod .....	3339
Mr Charlton .....	3339

### Children's services

Mr Harris .....	3340
Mr Silipo .....	3340, 3342
Mrs McLeod .....	3342

### Occupational health and safety

Mr Harris .....	3341
Mr Mackenzie .....	3341

### Assisted housing

Mr Harris .....	3343
Ms Gigantes .....	3343

### Jobs Ontario Community Action

Ms Harrington .....	3344
Ms Lankin .....	3344

### Young drivers

Mr Offer .....	3344
Mrs Boyd .....	3345

### Police services

Mr Runciman .....	3345
Mr Christopherson .....	3345

### Alcohol and drug abuse

Mr Mammoliti .....	3346
Mrs Grier .....	3346

### Court facility

Mr Eddy .....	3346
Mr Charlton .....	3347

### MOTIONS

<b>Private members' public business</b>	
Mr Charlton .....	3347

### PETITIONS

#### Casino gambling

Mr Bradley .....	3347
Mr Curling .....	3347
Mr Murphy .....	3348

#### Long-term care

Mrs Sullivan .....	3348
--------------------	------

### REPORTS BY COMMITTEES

<b>Standing committee on finance and economic affairs</b>	
Mr Sutherland .....	3348

### FIRST READINGS

<b>Highway Traffic Amendment Act, 1993, Bill 93, Mr Offer</b>	
Mr Offer .....	3348

### SECOND READINGS

<b>Labour Relations Amendment Act, 1993, Bill 80, Mr Mackenzie</b>	3348
Mr Elston .....	3349, 3350
Mr Mahoney .....	3349, 3355

Mr Mammoliti .....

Mr Hope .....

Mr Ramsay .....

Mr Curling .....

Mr Stockwell .....

Mr Callahan .....

Mr Sutherland .....

### THIRD READINGS

#### Municipal Statute Law Amendment Act, 1993, Bill 7, Mr Philip

Mr Hayes .....

Mrs Sullivan .....

Mr Elston .....

Mr Malkowski .....

Mr David Johnson .....

### OTHER BUSINESS

#### Visitors

The Speaker .....

#### Business of the House

Mr Charlton .....

## TABLE DES MATIÈRES

Jeudi 7 octobre 1993

### AFFAIRES D'INTÉRÊT PUBLIC

#### ÉMANANT DES DÉPUTÉS

#### Loi de 1993 sur les sociétés de protection des terres, projet de loi 92, M<sup>me</sup> Mathyssen .....

3317

#### Loi de 1993 modifiant la Loi sur l'assurance-santé, projet de loi 44, M. Morin .....

3324

### PREMIÈRE LECTURE

#### Loi de 1993 modifiant le Code de la route (présence d'alcool dans le sang), projet de loi 93.

M. Offer .....

3348

### DEUXIÈME LECTURE

#### Loi de 1993 modifiant la Loi sur les relations de travail, projet de loi 80, M. Mackenzie .....

3348

### TROISIÈME LECTURE

#### Loi de 1993 modifiant des lois relatives aux municipalités, projet de loi 7, M. Philip .....

3363

432100050





JUL 6 1994

